

FAMILY GROUP CONFERENCES WHAT ARE THEY? HOW DO THEY WORK?

The Children, Young Persons and Their Families Act 1989, introduced a very significant concept relating to the care and protection of children.

The Family Group Conference/Whanau Hui is recognised by the Act as being the key process by which family groups make informed and responsible decisions, recommendations and plans in regard to their children and young people.

This statutory Family Group Conference is called when:

- (a) A child or young person has come to notice as being in need of care or protection.

The family has been involved in attempts to find a resolution, but has failed and there is evidence of serious harm or risk of harm.

- (b) A long-term change of caregiver is proposed.

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- (c) Directed by the Court.

Significant people in the child(ren)'s life by virtue of blood links, kinship, friendship and agency support, have input into the Conference.

The concept of what constitutes a family group is open to the widest possible interpretations. Immediate and extended family, those linked by blood ties emanating from the four grandparents, adoptive family, birth family, step family, foster family and defacto relationships - all contribute when the best possible solution is sought in the interest of the child(ren). Support people by way of friends, church, cultural and other groups may be involved, if this in accordance with the wishes of the family, whanau or family group of the child or young persons. The family group may choose to have legal representation present again, if this is the wish of the entire family group (refer Section 22 regarding persons entitled to attend a Family Group Conference).

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The first part of the Conference deals with the reason why the Conference has been called. The Children, Young Persons & Their Families Service has the right to have those agencies present with knowledge of the concerns present, in order that the family have correct information. This enables the family to check out the accuracy of the information and correct any wrong information before plans are made. It is important that the Conference is focused on "the best interests of the child and not on blaming or fault finding.

The question must then be asked - does the family group agree/acknowledge there is a care and protection issue? If the answer is yes, the Conference proceeds to that part where the family group meets in private to make decisions, recommendations and plans. It is important that the family have this time together without agency involvement. It is often helpful if the family nominates someone in their group to chair that

A Family Group Conference is a legal process. Much sensitive information is shared and Conference members are asked to keep this information confidential.

It is also important the family feel they are not hurried or constrained by time to reach a decision. If necessary, the Conference can be adjourned to another day if more time is required.

Once the family has reached a decision on how the matter is to be resolved, the Conference reconvenes to hear the plan. The Conference in whole must agree to the plan, that is the family group, the agency(ies) who presented their concerns and the Children, Young Person & Their Families Service.

In the event the Conference being unable to reach agreement about a safe outcome for the child(ren), the matter is referred back to the Children, Young Persons & Their Families Service for action as appropriate. Two possible outcomes may be:

- (a) Referral of matter to the Family Court for a judicial decision.
- (b) Reconvening of the Conference at a later date.
- (c) Informal resolution.

RESOURCING OF PLANS

The Act provides for finance to be made available for family groups to resource decisions made. This resourcing must reflect a philosophy, which sees families as primary responsible for the care of children, but recognises that in some cases, extra financial assistance or other support is necessary.

WHO MONITORS THE PLAN

The family may choose to monitor the plan, or they may ask another person at the Conference to be the monitor. Plans must also be reviewed until all parties are satisfied that no further ongoing monitoring is required.

FAMILY & NON-FAMILY PLACEMENTS

Because of the importance of ensuring placements for child(ren) are successful, caregivers and their family situation will be subject to assessment by a Children, Young Persons & Their Families Services Social Worker. This assessment may involve Police checks (with caregiver's permission) that caregivers have no criminal record for violent offences against adults or children.

Should you require more information about Family Group Conferences, please contact the Care & Protection Co-ordinator at your local Children, Young Persons & Their Families Service.

Please note that any two people who attended the Family Group Conference can request the Care and Protection Co-ordinator to reconvene the Family Group Conference if they have serious concerns for any reason that cannot be resolved informally.

AGENDA FOR A FAMILY GROUP CONFERENCE

Welcome and introductions - people are asked to introduce themselves and say what their relationship to the child or young person is.

INFORMATION GIVING

Information giving, Children, Young Persons & Their Families Service Social Worker and/or agency workers talk about the reason this Family Group Conference has been called, i.e. the care or protection issues.

The family are given information about what resources are available to assist the family to make plans to keep the child(ren) young person safe. The family may correct or add information and ask any questions they may have.

The family group is asked: Do they agree/acknowledge there is a care and protection issue? If yes, proceed to the next step. If no, the Conference is disbanded and the Children, Young Persons & Their Families Service will need to consider what action is necessary to resolve the problem.

If yes,

PRIVATE FAMILY MEETING

The family meet in private to make plans, recommendations and decisions for the child(ren) or young person, including what resources they require to make the plan work. Essentially, plan must address:

- (a) Where and with whom will the child(ren) / young person live?
- (b) What resources are required to ensure the plan is successful?
- (c) What support family can give?

There must also be decisions made about:

- (a) Who will monitor the plan, e.g. family, agency representative or other person?
- (b) Review details - when will the plan be reviewed? By whom? How?
- (c) Contingency Plan, i.e. what will the family do if the proposed plan does not work.

CONFERENCE RECONVENES TO HEAR PLAN

Provided the family's plan is within the spirit of the Act, the plan will be accepted and acted upon within Children, Young Persons & Their Families Service financial constraints.

Section 22 - Children, Young Persons & Their Families Act 1989

Persons entitled to attend family group conference

- (1) Subject to subsection (2) of this section, the following persons are entitled to attend a family group conference convened under this Part of the Act.
 - (a) The child or young person in respect of whom the conference is held, unless the Care and Protection Co-ordinator convening the conference is of the opinion that-
 - (i) The attendance of that child or young person would not be in the interests of that child or young person, or would, for any other reason, be undesirable; or
 - (ii) The child or young person would be unable, by reason of its age or level of maturity, to understand the proceedings;
 - (b) Every person who is -
 - (i) A parent or guardian of, or a person having the care of that child or young person; or
 - (ii) A member of the family, whanau, or family group of the child or young person - *unless* the Care and Protection Co-ordinator convening the conference is of the opinion that that person's attendance would not be in the interests of the child or young person, or would be undesirable for any other reason:
 - (c) The Care and Protection Co-ordinator who is convening the conference, or any Care and Protection Co-ordinator who is acting for that person:
 - (d) Where the conference has been convened on the basis of a report under section 18 (1) of this Act from a Social Worker or a member of the Police, that Social Worker or member of the Police, or any Social Worker or member of the Police who is acting for that person:
 - (e) Where the conference has been convened on the basis of a referral of a matter under section 19 (1)(a) of this Act by any body or organisation, a representative of that body or organisation.
 - (f) Where the conference has been convened or reconvened, for the purposes of section 145 of this Act, in respect of a child or young person, a representative of the person who has the care of that child or young person pursuant to an agreement to which that section applies, or who it is proposed should have the care of that child or young person pursuant to such an agreement:
 - (g) Where the child or young person is under the guardianship of the High Court pursuant to section 9 of the Guardianship Act 1968, any person appointed as agent for the Court pursuant to that section, or any representative of that person.
 - (h) Any barrister or solicitor or lay advocates representing the child or young person.
 - (i) Any person whose attendance at that conference is in accordance with the wishes of the family, whanau or family group of the child or young person as expressed under section 21 of this Act.

No person to whom paragraph (c) or paragraph (d) or paragraph (e) or paragraph (f) or paragraph (h) of subsection (1) of this section applies is entitled to be present at any family group conference during any discussions or deliberations held among the members of the family, whanau, or family group of the child or young person in respect of whom the conference is held, unless those members request any such person to be