



Probation & Welfare Service

Family Conference Information Pack



Probation & Welfare Service

www.pws.gov.ie

Family Conferences - Background

The Children Act, 2001 provides a new framework for meeting the needs of offending and non-offending children. The key objectives of the Act include a juvenile justice route, which emphasises restorative justice and diverts young offenders from Court, from conviction and from custody.

Restorative Justice is a philosophical framework, which considers the ways in which crime harms relationships in the context of the community. It is a way of dealing with victims and offenders by focusing on the settlement of conflicts arising from crime and resolving the underlying problems which cause it. Restorative justice has been proposed as an alternative to the current way of addressing criminal matters because it is inclusive of the right of victims to be involved in the decision making.

A key principle of family conferences is the involvement and empowerment of families. The family conferencing process is designed to create a forum, which empowers families to have a meaningful voice over their affairs. Family conferences provide a framework for families whereby they can be empowered to exercise responsibility and to take the lead in decision making where children are offending.

Family conferences originated in New Zealand in the 1980's and were given legislative mandate in their 'Children, Young Persons and their Families Act, 1989'. This Act recognises family conferences as the key decision making process by which families make decisions about children and young people in need of care and protection. New Zealand also introduced family conferences in the youth justice system with the intention of engaging families in the task of taking responsibility for young people who offend and agreeing reparation. New Zealand has remained very committed to using family conferences and family group conferences have been introduced in Denmark, Finland, the Netherlands, Norway and Sweden, as well as in the UK.

In Ireland, as well as the Probation and Welfare Service, the Health Boards and the Gardai also have a role in convening family conferences under the Children Act 2001.

PWS Family Conference

Part 8 (section 78 – 86)

- Where, in any proceedings in which a child is charged with an offence-
 - (a) the child accepts responsibility
 - (b) appears desirable to the court that an action plan is formulated
 - (c) the child, child's parents/guardians/family agree & could make a positive contribution

PWS Family Conference - Court

1. Submit action plan
 - Court can:
 - Approve or amend plan
 - Order child to comply & be supervised by PWS
2. Inform Court that agreement not reached
 - Court can:
 - formulate a plan and order supervision by PWS
 - Resume proceedings in respect of offence



PWS Family Conference - Court

3. PWS can apply for extension
 - Court can:
 - give extension of not more than 28 days
4. PWS can inform court not possible and not likely that conference can be held
 - Court can:
 - resume proceedings



PWS Family Conference Action Plans

- Parents & child may, with assistance of other persons present formulate an action plan
- Agreed unanimously
- May include provision for:
 - Apology
 - Financial or other reparation
 - Participation in training/education, sporting or recreational activity



PWS Family Conference Action Plans

- Attendance at school or work
- curfew
- To stay away from specified places, persons or both
- Initiatives within family/community that might help to reduce further offending
- Written in plain and understandable language
- Signed by PWO, child (or child's behalf)



PWS Family Conference Action Plan

- PWS can apply to return case to Court if non-compliance with action plan
- Court may resume proceedings
- Review takes place not more than 6 months after order made
- Court may dismiss the charge if child complied with plan.

POST CONFERENCE SCHEDULE

Time Frame	
Day 1.	<ul style="list-style-type: none"> • PWS (chair) to submit Action Plan to Court • Court will set date of review of Action Plan within the next six months • Action Plan to be supervised by PWS (preparer).
Day 14.	<ul style="list-style-type: none"> • Contact with family members and others given responsibilities in the Action Plan.
Day 28.	<ul style="list-style-type: none"> • Contact with family members and others given responsibilities in the Action Plan
End of month 2	<ul style="list-style-type: none"> • Contact with family members and others given responsibilities in the Action Plan • <i>In the event of non compliance, PWO to bring matter back to Court</i> • <i>Contact victim(if appropriate)</i>
End of month 3	<ul style="list-style-type: none"> • Contact with family members and others given responsibilities in the Action Plan • <i>In the event of non compliance, PWO to bring matter back to Court.</i> • <i>Contact victim (if appropriate)</i>
End of month 4	<ul style="list-style-type: none"> • Contact with family members and others given responsibilities in the Action Plan • <i>In the event of non compliance, PWO to bring matter back to Court.</i> • <i>Contact victim(if appropriate)</i>
End of month 5	<ul style="list-style-type: none"> • Contact with family members and others given responsibilities in the Action Plan • <i>In the event of non compliance, PWO to bring matter back to Court.</i> • <i>Contact victim (if appropriate)</i>
End of month 6	<ul style="list-style-type: none"> • Inform Court of compliance with Action Plan. • Inform victim of outcome.

THE FAMILY CONFERENCE

A GUIDE FOR VICTIMS

What is a Family Conference?

A Family Conference is organised and run by the Probation & Welfare Service at the direction of the Court. The family conference is a meeting between the victim(s), young person(s), and members of the young person's family and relevant others to discuss the offence and its effects. The meeting will explore ways in which the offender can be held accountable, take responsibility for their behaviour, and as much as possible put things right.

Who else attends the Family Conference?

The young person who has admitted responsibility for their offence, members of their family, other person(s) who may be involved with the young person. You are also encouraged to bring someone along who would be a support to you. If you are under 18 years, you should be accompanied by your parent/guardian.

Who arranges the Family Conference?

A Probation and Welfare Officer will meet with you to help you get ready for the family conference. It usually takes place in the Probation and Welfare Service Offices or in some circumstances in a different venue.

Why should I attend?

This meeting will give you an opportunity to explain to the young person how their offence has affected you. You will also have a say in how the young person can make amends. In fact, your attendance is vital to a positive outcome.

What if I do not wish to attend?

You can express your views in different ways, such as write a letter, or through the Probation and Welfare Officer. Also, you

may wish to nominate someone to attend on your behalf.

What actually happens at the Family Conference?

The meeting is divided into four sections:

1. **Information Giving:** Introductions are made, the format of the meeting is outlined and the process of information sharing begins.
2. **Restorative:** This section of the meeting allows you to express how the offence has affected you. It also facilitates the young person to account for their behaviour and to make amends.
3. **Family Time:** The young person and his/her family then meet privately to draft an 'Action Plan', which will be designed to make amends and help the young person stay out of trouble.
4. **Action Plan:** The draft 'Action Plan' is then brought back to the group for discussion, agreement and submission to the Court for approval.

The Family conference shouldn't go on for any longer than two hours.

What happens next?

Following its submission to Court, the Action Plan is overseen by the family of the young person, other identified individuals and supervised by the Probation & Welfare Officer. You will be informed about the outcome of the Action Plan. If the Action Plan is not adhered to, it will be returned to Court.

THE FAMILY CONFERENCE

A GUIDE FOR YOUNG PERSON & FAMILY

What is a Family Conference?

A Family Conference is a meeting involving the young person and members of his/her family, the victim and relevant others. It is ordered by the Court and organised and run by the Probation and Welfare Service. At the meeting the young person's offence will be discussed with regard to its effect on the victim, the community and on the young person's family.

The conference will explore ways that the young person take responsibility for his/her behaviour, for the consequences and where possible to put things right by making good the damage. It also aims to come up with an agreed plan which will help the young person to avoid getting into trouble in the future.

Why should the young person and his/her family attend?

The meeting will give the young person an opportunity to learn about how his/her offending behaviour affects other people. It also provides an opportunity for the young person to apologise to the victim. If the young person cooperates throughout the process the court may decide to dismiss the charge.

Who else will be there?

The young person, his/her family and possibly a teacher or social worker who may be involved with the young person. The victim can attend the Family Conference and may bring someone to support them.

Who arranges the family conference?

A Probation and Welfare Officer will meet with the child/young person and his/her family to help get ready for the family conference.

Where does the Family Conference take place?

The family conference will usually take place in a special room in the Probation & Welfare offices. In some circumstances it may take place outside in a different venue.

How long will the meeting last?

The meeting could be long or short depending on how quickly an agreement is reached between all the people at the meeting. However, it shouldn't go on for any longer than two hours.

What exactly happens at the Family Conference?

There are four stages in the Family Conference.

1. **Information Giving:** Introductions are made, the format of the meeting is outlined and the process of information sharing begins.
2. **Restorative:** This section of the meeting allows the victim to express how the offence has affected them. It also facilitates the young person to account for their behaviour and to make amends.
3. **Family Time:** The young person and his/her family then meet privately to draft an 'Action Plan', which will be designed to make amends to the victim and help the young person stay out of trouble.
4. **Action Plan:** The draft 'Action Plan' is then brought back to the group for discussion, agreement and submission to the Court for approval.

What happens next?

Following its submission to Court, the Action Plan is overseen by the family of the young person, other identified individuals and supervised by the Probation and Welfare Officer. If the action plan is not adhered to it will be returned to Court.

ACTION PLAN FOR JUVENILE COURT ON (DATE)

Name:

Date of Birth:

Offence:

This case was last in Court on . This action plan has been drawn up on the basis of a family conference convened by the Probation & Welfare Service and held on the .

Family Members

Professionals and Others

Victim
