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Sharing Power with the People: Family Group Conferencing as a Democratic Experiment¹

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Can family group conferencing be leveraged to promote the democratic ideals of voice, freedom, justice, fairness, equality, and respect, and provide the citizenry with the opportunity to build a more just and civil society? This article reviews family group conferencing, and various model adaptations, from a democratic context and through the lens of responsive regulation.

Family Group Conferencing in a Democratic Context

Who knows what is best for the people if not the people themselves? This question, which reflects the core principles of democracy, also is central to the practice of family group conferencing. If child protection is seen as a public concern, then the process of making decisions to keep children safe and healthy benefits from being democratized.

Beetham (1999, 21) suggested that the defining principles of democracy are that "all citizens are entitled to a say in public affairs, both through the associations of civil society and through participation in government," and that "this entitlement should be available on terms of equality of all." In other words, in a democracy, supreme power lies with the people, all of whom have a right to freedom, equality, and a voice that will be heard and respected. Family group conferencing promotes the sharing of power for decision making between family, kin, professionals, state and the community, while balancing responsibility and accountability among these groups.

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Braithwaite (2000) proposed that it is not possible to achieve a fully participatory democracy on a large scale, because it is impossible to involve all affected citizens in important decisions. He contends, however, that this notion gives credibility to the prevailing perspective that representative democracy is all that is possible. Unfortunately, the result is an inactive, non-participatory citizenry that refrains from developing community and abdicates its responsibility for building democracy.

Family group conferencing—if implemented in the spirit of its originators—provides an opportunity to revitalize representative democracy and to build strong, healthy communities and families. It provides a forum for individuals to come together to exchange information, share ideas, and demonstrate their care and concern in a framework that teaches and supports active responsibility. It establishes a process by which families can work through their problems and devise their own solutions. From a responsive regulation perspective, FGC promotes individuals self-regulatory capacities thereby forestalling the state's need to transcend the regulatory pyramid. In essence, families have the opportunity to create plans that regulate their own behavior, before a more intrusive form of intervention is undertaken.

In an FGC, families have the opportunity to tap into their own resources to rebuild and strengthen existing social support networks, form new connections, and forge effective partnerships with formal systems. When given a choice, most people support the democratic principle of ensuring that people have a voice in matters that concern them. If FGC principles are fully supported, the citizenry has the opportunity to realign bureaucratic systems and programs to meet community needs.

Family group conferencing challenges years of paternalistic practice in which professionals have assessed problems, used clinical tools to determine levels of risk or harm, and developed corrective action plans with little consideration for or interest in families' opinions (Turnell, 1998). Since the early days of societies for the prevention of cruelty to children, child welfare professionals have been taught that it is their job to rescue children, that they are the experts, and that they have the solutions to families' problems. Are entrenched and powerful systems ready

to support a practice model as empowering as family group conferencing?

Responsive Regulation in Child Welfare

Braithwaite's framework for responsive regulation provides a new perspective for understanding the compatibility of empowering partnership practice in child welfare with the coercive power of the state and its responsibility for child protection. Responsive regulation contends that "governments should be responsive to the conduct of those they seek to regulate in deciding whether a more or less interventionist response is needed" (Ayres & Braithwaite, 1992). This theoretical base provides a new perspective from which to view family group conferencing.

Child welfare is plagued by an overburdened system and limited internal and community-based resources which results in the standardization and categorical nature of case plans developed to resolve the concerns that precipitated regulatory action in families' lives. Research in Oregon showed that while caseworkers had a conceptual framework for individualized services, frequently, the constellation of services they described for cases were not individualized based on the strengths/needs-based practice model. (Regional Research Institute for Human Services and the Child Welfare Partnerships, 1999). Too often, parents are minimally involved in developing case plans, resulting in plans misaligning with family needs, capacities, informal supports, and community resources (National Child Welfare Resource Center for Family-Centered Practice, 2002). While it is likely that families who come to the attention of the public child welfare system experience many similar precipitating concerns such as poverty, substance abuse, or domestic violence, it seems unlikely that a narrow range of options could be equally helpful in a wide range of family circumstances and responses to official child protection services (CPS) involvement.

Child welfare workers use prescriptive policies and procedures to craft decisions written in case plans. These regulatory vehicles, coupled with high workloads, prevent them from responding flexibly to families. Braithwaite's regulatory pyramid

provides a framework for conceptualizing family group conferencing as a way to achieve differential response more adequately to meet family, community and government needs.

The most restorative dialogue-based approach to achieve compliance with the law sits at the base of the pyramid. Braithwaite (2002) contends that in all cases of wrongdoing, the first response should be the offering of a restorative dialogue. In child welfare, this would present families with the opportunity to decide their interest in partaking in a non-dominating, lesser controlling way to create a plan that achieves safety, permanency, and well-being for children. It conveys a level of respect and trust between the state, community, and family.

If there is refusal to participate in a restorative dialogue or to reform after wrongdoing, one ascends the pyramid to a more coercive form of regulation. In child welfare, the existing research (Pennell & Burford, 2003; Gunderson, Cahn, & Wirth, 2003; Litchfield, Gatowski & Dobbin, 2003; Marsh & Crow, 2003; Wheeler & Johnson, 2003) suggests that when presented with the option of a family group conference, families, their support network and the broader community attend and make plans that achieve regulatory parameters. Some families because of shame, strained relationships, or embarrassment will nonetheless prefer traditional, state-dominated mechanisms for problem solving.

Indeed responsive regulation does not provide for a consistent response to the same wrongdoing. Similarly, family group conferencing does not result in the same plans based on similar precipitating problems. Family group conferencing provides an avenue for family, kin, community and the state to collaborate to craft original, rich and diverse plans that meet the needs of the various stakeholders. It is not about abdicating state responsibility for the protection of children, or abolishing states and bureaucracies, but coalescing the law and community as a mechanism to check and balance each other to neutralize the possible abuses and excesses of both formal and informal systems. (Braithwaite, 2002; Adams, 2003).

However, if the initial plan does not achieve the standards of safety and permanency, or non-compliance occurs, then Braithwaite suggests an additional restorative dialogue or conference occur and not an immediate ascent up the regulatory pyramid.

That said, however, there must be a commitment to ascend the regulatory pyramid if actions are not taken to prevent recurrence. If families still refuse to take responsibility for their actions, rebuff reparation strategies, or partake in actions that compromise children, then coercive control and the need for escalated regulation is legitimized. In child welfare, outcomes ascending the pyramid could be placement of children in foster care to the termination of parental rights.

The Growth of Family Group Conferencing

For hundreds of years, before formal child protection systems existed, families used their own resources, knowledge, and strengths to resolve problems involving child abuse and neglect, health crises, and child rearing. They relied on networks of relatives and friends and on religious institutions for support. Currently and unfortunately, more often than not, the traditional child welfare system serves to disempower and disenfranchise families and communities rather than to strengthen and sustain them.

For close to a decade, family group conferencing has grown exponentially throughout the world. In the United States, what started as an experiment in five communities in 1995 is now a widely recognized practice embraced by over 150 communities across the nation (Merkel-Holguin 2000). Similarly, England and Wales had only four pilot projects in 1994. In 2001, 97 local authorities or nongovernmental organizations are running or considering implementing family group conferencing in those countries (Nixon, Merkel-Holguin, Sivak & Gunderson, 2001).

Outside of New Zealand and most recently Ireland, where family group conferencing is a legal right, a number of phenomena have created interest in empowerment approaches that emphasize family and community capacity building (Schorr, 1993). In the United States, interest in family group conferencing can be attributed to the emergence of family-centered and strengths-based practices, the philosophical shift that protecting children is a shared responsibility among child protection agencies, communities, and families, and federal policies supporting family involvement in case planning (Merkel-Holguin, 1998; National Child Welfare Resource Center for Family Centered Practice, 2002).

A growing body of research and evaluation accompanies this emerging practice. In 2003, American Humane published a comprehensive volume of research and evaluation of family group conferencing in child welfare entitled *Promising Results, Potential New Directions*. The 25 studies highlighted—international in scope—employed multiple-methods and multiple-indicators evaluation strategies. While many of the studies were implementation evaluations, twelve focused on outcomes such as child and family safety, permanency, family functioning and child well-being. Eight studies utilized comparison groups as a way to determine whether or not there were any differences between children and families who participated in FGC and those who received traditional services. While more scientific and rigorous research is needed, the initial results of this meta-analysis suggest that FGC compares favorably to traditional child welfare practice.

The next sections of the article analyze the growth and adaptations of family group conferencing using a democratic and responsive regulation framework.

The Struggle Between Model Fidelity and Local Adaptation

Burford (2001) argues that there are negative consequences for social workers—and the clients they serve—when the agencies and organizations for which they work promote only formal legal, administrative, and expert-dominated solutions to problems of child maltreatment. According to Nixon et al. (2001, p. 27) “Family group conferencing has often been misunderstood as augmenting professional decision making rather than driving decisions themselves. The ambition to fit family group conferencing within the procedures, time scales, and assumptions of bureaucracies has relegated family group conferencing to secondary planning form or a rubber stamp for professional ideas. The net effect is that family group conferencing principles and philosophy are watered down to fit into mainstream orthodox practice.” In this way, bureaucracies sabotage family group conferencing.

As family group conferencing gains popularity in the United States, local communities are struggling to balance model fidelity and the adaptation of the approach to fit diverse contexts and cultures (Waites et al, in press). The concept of model varia-

tions fits with the principles of family group conferencing. It is a democratic practice that relies on community strengths, cultural diversity, creative thinking, and flexible resourcing to safeguard children and families. That is not to say, however, that all variations are consistent with family group conferencing principles.

But what constitutes model drift and how can variations be classified as either in-sync or out-of-step with FGC principles? Pennell (2003) promotes the need for clear model definitions and measurements. Developed for the North Carolina Family Group Conferencing Project, a series of key principles and their associated practices for measuring model fidelity provides a framework for helping communities determine whether variations support or contradict FGC (Pennell, 1999). Using a comprehensive and standardized key principles framework in concert with FGC theories of community building, democracy and family leadership, local communities, in partnership with its citizenry, should critically analyze the proposed variations to determine their congruence with FGC principles.

The implementation of family group conferencing is at a critical juncture worldwide. While over prescription of a model conflicts with the practice philosophy, model variations that stray from the key principles can equally damage a practice. In some communities, powerful professional and organizational agendas are colonizing the model for institutional and systematic gain. For example, a few public child welfare agencies are structuring and controlling FGCs to attain the benchmarks for system-imposed outcomes, such as increasing the number of adoptions or children living with kin. In an FGC, however, outcomes should not be prescribed. That occurrence defies the responsive regulatory nature of family group conferencing. The next section reviews some of the adaptations, either intended or unintended, that compromise the inherent democratic and principles of family group conferencing.

Comprehensive Preparation in the Pursuit of Democracy

It is the preparation phase of the FGC that supports the democratic ideal. Comprehensive preparation ensures that the wider family, its support network, and the broader community have information about the child maltreatment and the FGC process.

It is during this phase that the coordinator identifies and engages various participants, shows genuine respect for the family system, establishes trust, and strives to build a safe environment so the group can join together to create a plan that achieves child safety permanency, and well-being. Family members are positioned and encouraged to become active leaders in balancing accountability, responsibility, healing, apology, and remorse. A number of communities intentionally and strategically construct FGC processes in a way that family members and their support network outnumber professionals in attendance (Merkel-Holguin, Nixon & Burford, 2003).

Anecdotal evidence, however, suggests that inclusive and wide-ranging preparation is not always supported as part of the FGC process in the United States. High level of time and personnel resources required to prepare families; FGC coordinators' varying levels of comfort, skill, and expertise in preparing participants; and the unwillingness of systems to give family systems information are possible rationales for minimizing preparation of FGC participants. Independent of the reason, however, the result is that professionals and institutions maintain power, and the community-based thrust of this practice is absent. Family and community members' voices, perspectives, resources, and opportunity to take responsibility, are marginalized, the chance for the citizenry to revitalize representative democracy doesn't materialize, and the effectiveness of the responsive regulation is compromised.

Facilitation or Coordination to Achieve Democratic Principles?

In the 1990s, U.S. communities introduced numerous family involvement models that supported a spawning of practice variations. Research has long documented the importance of the coordinator in the FGC process (Paterson & Harvey, 1991; Maxwell & Morris, 1993). Yet, one of the most significant adaptations, not reviewed in the literature, relates to the structure and function of the coordinator role.

A number of US communities implementing FGC in child welfare intentionally created a structure where both a coordinator and facilitator have active roles in the conferencing process. The coordinator works to prepare the family for the FGC, and a

different professional facilitates the FGC. While the perception of neutrality is the main reason given to support this structure, are there unintended consequences in having different professionals with distinct responsibilities involved in the FGC process? Is the achievement of neutrality the most pressing need or is fairness more important? Increasingly, FGC practitioners caution that this bifurcated role may unintentionally harm families by compromising their safety at the FGC. When a family partners, engages, and builds a trusting relationship with a coordinator during the preparation phase, what is the family's perspective when another person with little or no information facilitates their FGC? The concern is that this structure encourages facilitators to pursue a more active, dominant role in the FGC process, thwarting the opportunity for family members to emerge as leaders and undermining the family's capacity to self-regulate.

In addition, there is increasing concern that model variations allow professionals to dominate the family group conference through prescriptive and subversive facilitation techniques. The Oregon Family Unity Model's information sharing stage is structured to facilitate a meaningful dialogue with all participants about the family strengths and the concerns that precipitated the FGC (Graber and Nice, 1998). While at first blush, this would appear to support key FGC principles, this strategy may benefit professionals more than families for a number of reasons. First, it can increase their control of a perhaps uncomfortable process where family members likely outnumber professionals by directing conversation toward a professional facilitator. Second, there is anecdotal evidence that suggests that facilitators' dogmatic adherence to this methodology increases their power to influence the meeting. Third, it gives professionals a sense, which may be unwarranted, that they are engaging in strengths-based practice with families by asking families and professionals to identify family strengths that can be harnessed to resolve the concerns.

Some research is showing that under this approach, the information sharing stage far outlasts private family time (LeCroy & Milligan Associates, 2002), thereby minimizing the opportunity for family leadership, participative democracy directed by families, and self-regulation. Another question to be asked is does this facilitated dialogue elicit private information from family

members with a myriad of professionals present? Even with a skillful facilitator, anecdotal evidence suggests that families divulge private information and unintentionally begin deliberating in the presence of service providers, thereby compromising their family deliberations.

While eliciting strengths and understanding a family's perspective of the major concerns is important, can it be achieved during the preparation phase of the conference? Comprehensive preparation that embodies the principles of strengths-based practices, coupled with the information sharing stage as devised in New Zealand where the professional presents case information to the family, followed by an opportunity for any participant to ask questions, may better actualize the key FGC principles defined by Pennell (1999). According to Moore and McDonald (2000), in conferencing, it is the facilitator's responsibility to safeguard the process to keep it true to principles of deliberative democracy. Family group conferencing is intended to give family members and their support networks a voice—thereby rebuilding their investment and say in issues that matter to them, and affording them an opportunity to forestall a formalized governmental response. It has the potential to move beyond being a family-centered practice to one that is family-driven. If communities implementing FGC believe and trust in families' ability to safely create solutions based on their family's culture, history and experiences, then an overly prescriptive and dominant facilitator or information sharing process may contradict the espoused FGC principles. Minimizing the facilitators' presence and voice may better support the democratic nature and responsive regulation framework of family group conferencing.

The Impact of Professional Influence on Referral Practices

Nationwide, while family group conferencing is becoming an increasingly common practice, most FGC initiatives are marginalized by limited funding, administrative support, and staffing. This translates into few families having the opportunity to participate in FGCs. Professionals' and systems' selection of families to participate in FGCs requires analysis to safeguard against issues of domination and bias. Employing expansive selection criteria, some projects use FGC with a wide range of issues and severity

of cases (Burford & Nixon, 2003). At the same time, many projects struggle with social workers not referring families for FGCs. In addition, research from a number of communities suggests that a high percentage of families referred for FGCs do not move forward with the process, and that Caucasian families disproportionately participate in FGC when compared to minority populations. (Merkel-Holguin et al 2003)

Can social workers who themselves may be disempowered by system regulations and oppressive structures possibly practice in ways that empower citizens, that build collaboration, and that result in community responsibility for the protection of children in a responsive regulation framework? Numerous evaluative FGC studies strongly suggest that social workers are satisfied with FGC, including their level of say, voice, influence, perception of the conference as a positive experience, and assessment of FGC plans in promoting child safety and permanency. Other by-products of FGCs, reported by social workers, include reduced conflict with families and increased post-FGC service coordination. (Merkel-Holguin et al, 2003)

Social workers who refer few or no families to FGCs cite issues of confidentiality, liability, potential for increased workload, and a fundamentally different philosophy about child protection (Schmid & Goranson, 2003). FGC philosophies and processes confront the assumptions upon which services, organizations, institutions, and structures have been predicated since the welfare state emerged. It is unsurprising, then, if some social workers are unsettled by this practice. FGC redefines an entrenched perspective that social workers and service providers are the experts. Under the FGC paradigm, professionals play the role of information giver, community organizer, lender of their expertise, and resource provider based on family identified needs, contradicting decades of practices and beliefs.

At the outset, do decisions about referrals radically influence practice, and create a mechanism for child welfare systems to limit family processes of decision making and to continue decades of professional domination? Certainly referral practices require further review to guard against potential cultural bias and to understand why such a large number of families decline to participate in FGCs. It would appear that lack of system sup-

port of FGC practices from referring social workers and unclear referral policies, coupled with the minuscule number of families who can avail themselves to this practice in most areas are simultaneously converging to bolster professional influence on family group conferencing. Until FGC is propelled from the margins to the mainstream, and adequately resourced, these phenomena will likely continue to occur.

Perhaps, however, there is an opportunity for the community to shape FGC referral practices. When FGC is envisioned as a community process that re-establishes collective responsibility and builds a sense of shared commitment and collaboration, the community can also become a primary referral source. Bureaucratic, orthodox, and regulated systems can in essence be leapfrogged by the community's engagement and participation in FGC processes. A few illustrations. Instead of families awaiting an invitation to participate in an FGC from a social worker, they would have the opportunity to self-refer. Or, a leader in a faith-based community could refer a vulnerable or at-risk family to participate in a restorative dialogue. Or, the role of coordinating a family group conference could be de-professionalized and/or rest within the community at-large. In effect, all of these strategies would actualize the community's investment in FGC and help actualize participatory democracy.

Predetermined Outcomes

If the state's role is to safeguard a process, and to ensure that decisions meet the standards for safety, permanency and well-being, then professionals using family group conferencing to coerce participants into making decisions that help systems but not necessarily families, promotes the antithesis of democratic and conferencing principles. This is often the case when the model is launched as a managerial strategy to contain costs or when communities equate family group conferencing and kinship care. Families must be given the latitude and flexibility—using their expertise, wisdom, and experience—to make decisions that ensure children's safety and well-being. While increasingly the international data suggests that the vast majority of children who require out-of-home placement remain with extended family (Merkel-Holguin et al, 2003; Gunderson, Cahn, & Wirth, 2003; Litchfield,

Gatowski, & Dobbin, 2003; Crampton, 2003; Schmid & Goranson, 2003; Thoennes, 2003; Lupton & Stevens, 2003; Nyberg, 2003), families must also have the freedom to decide that non-familial out-of-home care is the best option for the child and their family. Predetermined outcomes usurp power from families and relocate it within bureaucratic and professionally dominated and sophisticated child welfare systems, and in doing so, trample on the democratic principles of family group conferencing and the values of collaboration and partnership.

Children's Connection to FGC Processes

Should children participate in FGC processes where important, life-altering decisions are being made? The research suggests that children's involvement and participation varies considerably across FGC projects, and likely correlates to organizational and practice assumptions and cultural differences (Burford & Nixon, 2003; Sieppert & Unrau, 2003). FGC provides the opportunity to teach young children, at a young age, the value of civic participation. For example, by taking part in an FGC, participants are engaging in democratic deliberations and their contributions to the plan are a form of civic engagement. Also, when children and young people take part in the process, and observe the important adults in their lives positively and humanely participating in difficult deliberations, they are better prepared to become citizens contributing to a civil society. When family group conferencing is placed in a democratic context, it may be seen as impelling child welfare systems to discover ways to safely and effectively engage children as participants.

Community Involvement

Extensive community involvement in the design and implementation of family group conferencing is a critical element related to sustainability, but also one that actualizes it as a community-based practice. As described by Adams (2000), FGC is devised to work on two levels: changing relations and sharing responsibility between families and authorities, and also between the state and community. It is a practice that acknowledges that services and resources identified in plans should be closely

aligned with the real needs of those involved. By doing so, it clearly aligns itself with the theory of responsive regulation.

Moore and McDonald (2000) suggest that FGC processes expand beyond the nuclear and extended family to include the broader community. By creating or strengthening informal and formal networks, family group conferencing has the potential to build communities and social capital. In many instances, however, the broader community has not yet been engaged as partners in FGC development and implementation.

The potential role of the community in family group conferencing, however, is significant. According to the Merkel-Holguin et al (2003, 7), "the [summary of 25 evaluative] studies propose that FGC plans frequently include both family provided resources and supports and requests for services from a range of agencies. Many of the studies imply that FGDM does not diminish the need for formal services provided by statutory or community-based agencies and that FGC is not an alternative to providing quality services to children and families." In addition to providing resources, the community can play multiple roles including: serving on an advisory board guiding FGC implementation; attending conferences to listen to families' needs and match services accordingly; working collaboratively, based on families' perspectives and needs, to decategorize services and realign them if necessary.

FGC has the opportunity to revitalize the community's interest and responsibility and shared vision for protecting children and supporting families. However, there are two overriding concerns being generated from communities (Lupton & Nixon, 1999; Lupton & Stevens, 1997; Lupton 1998): 1) Family group conferencing is being implemented to minimize the public authorities' or broader communities' responsibilities, and family are expected to maximize their resources to implement their plans. 2) Typically, complex, bureaucracies are not flexible enough to meet the needs that families identify during conferences. In either case, inadequate or inappropriate resources can sabotage family plans. If communities pursue family group conferencing in a democratic context, then system collaboration and partnership with families are the hallmarks of practice that drive the engagement and service provision. Ultimately, families become the drivers of the services in the community.

Constructing a Social Movement for Family Group Conferencing

As the 21st century commences, new leaders are emerging and challenging commonplace child welfare practices and policies. One such legal scholar, Roberts (2001), provides a perspective that integrates issues of class, race and child abuse and neglect. She describes a cultural devastation in the United States not unlike the one that has been described to be occurring almost 20 years ago in New Zealand (Walker, 1996). In that democratic society, the victims were Maori. The child welfare system severed family ties and broke cultural bonds by removing indigenous children and youth from their homes and placing them in foster care at alarming rates. In reaction to the problem, a body of leaders formalized into policy a new way of working with families—indeed, it was family group conferencing.

Building Family and Community Leadership to Mainstream FGC

Pranis (2000, 48) suggested “democracy is undermined by dependence upon professional classes to analyze and solve community problems.” When child welfare decision making is driven by professionals or service systems, the opportunity to reconnect government to the people, to foster individuals participating in matters that are important to them, and to support democratic ideals of freedom, independence, and rights is lost. FGC affords social workers the potential for genuine partnership with families and the broader community in which they can collectively examine and create options to resolve the identified problems. A tenet of family group conferencing is that the broader family, community, and state—collaborating together—will generate more workable, comprehensive plans. This practice supports the quest for democracy by cultivating and respecting the various stakeholders’ voices and perspectives.

Social workers involved in FGC have the opportunity to support grassroots democratic processes that build family and community responsibility for protecting children and support responsive regulation. They can play a significant role in redefining good social work practice through the advancement of FGC; however, their ability to involve family and the broader community in FGC development, implementation and evaluation, will

likely provide a more robust, long-lasting result. Whether it be organized by families, communities, or professional groups, or through a collaborative effort, a social movement for FGC is a critical step to mainstreaming it as a practice.

In the context of CPS, responsive regulation requires that the state's response to the abuse and neglect of children be differentiated according to a family group's (or extended family's) willingness and capacity to regulate itself to keep its most vulnerable members safe. The state holds back more coercive responses while family, professionals, and others involved collaborate to enhance the family's own capacity for care and protection. Certainly, some of the FGC research is beginning to demonstrate that families can regulate their behavior in a way that maximizes child safety (Pennell & Burford, 2003; Gunderson, Cahn, & Wirth, 2003; Litchfield, Gatowski & Dobbin, 2003; Marsh & Crow, 2003; Wheeler & Johnson, 2003). Yet, while family group conferencing can appeal to both liberals and conservatives, albeit for different reasons, and while individuals can support the notion of differential response and involving individuals in matters that concern them, there is still a hesitancy to fully support the concept of self-regulation. The framework of responsive regulation, with its combination of empowerment at the base of the pyramid with ineluctable ascent to more coercive responses if that fails, provides a rationale for empowering families while carrying out more effectively the state's responsibility for child protection.

Conclusion

Considering FGC in a democratic and responsive regulation context provides a theoretical construct to mainstream this marginalized practice. It challenges years of professional domination. It demands new strategies for engaging the citizenry as active participants in creating a community-based and responsively regulated system that protects children and supports families.

The growing appeal of family group conferencing reflects the energy, enthusiasm, and commitment of individuals to involve families in decisions that are of the highest level of importance to them. The mainstreaming of family group conferencing lies in a collective understanding of this model as a practice that supports the pillars of democracy, one that promotes self-regulation, and

one that fosters responsive regulation by encouraging differential response to families through individualizing plans to more closely meet identified needs. The question that looms is whether a social movement will be organized to replace current practices with ones that can strengthen families, protect children and rebuild communities.

References

- Adams, P. (2003, June 13). Email correspondence.
- Adams, P. (2000). Bringing the community back in: Patch and family group decision making. In G. Burford & J. Hudson (Eds.), *Family group conferencing: Perspectives on policy, practice and research*. (pp. 105–119). Hawthorne, NY: Aldine de Gruyter.
- Ayres, I., & Braithwaite, J. (1992). *Responsive regulation: Transcending the deregulation debate*. New York: Oxford University Press.
- Beetham (1999). *Democracy and human rights*. Cambridge, UK and Malden, MA: Polity Press.
- Burford, G. & Nixon, P. (2003, June). And the survey said? The results of the World Wide Web survey on family group conferencing. Paper presented at American Humane's 2003 Conference on FGDM. Minneapolis, MN.
- Burford, G. (2001). Advancing innovations: Family group decision making as community-centered child and family work. *Protecting Children*, 16 (3), 4–21.
- Braithwaite, J. (2000). Democracy, Community and Problem Solving. In G. Burford & J. Hudson (Eds.), *Family group conferencing: Perspectives on policy, practice and research*. (pp. 31–39). Hawthorne, NY: Aldine de Gruyter.
- Braithwaite, J. (2002). *Restorative justice and responsive regulation*. Oxford University Press: New York.
- Crampton, D. (2003). Family group decision making in Kent County, Michigan: The family and community compact. *Protecting Children*, 18 (1–2), 81–83.
- Graber, L., & Nice, J. (1998). Family unity model. Unpublished manuscript.
- Gunderson, K., Cahn, K., & Wirth, J. (2003). The Washington State long-term outcome study. *Protecting Children*, 18 (1–2), 42–47.
- LeCroy & Milligan Associates, Inc. (2002). *Family Group Decision Making: Annual Evaluation Report*. Tucson, AZ: Author.
- Litchfield, M., Gatowski, S., & Dobbin, S. (2003). Improving outcomes for families: Results from an evaluation of Miami's family decision making program. *Protecting Children* 18 (1–2), 48–51.
- Lupton, C. & Stevens, M. (2003). Family outcomes: Following through on family group conferences. *Protecting Children*, 18 (1–2), 127–128.
- Lupton C., & Nixon, P. (1999). *Empowering practice? A critical appraisal of the family group conference approach*. Bristol: Policy Press.
- Lupton, C. & Stevens, M. (1997). *Family outcomes: Following through on family group conferences*. SSRIU report No 34. University of Portsmouth.

- Lupton C. (1998). Family group conferences: User empowerment or self-reliance? *British Journal of Social Work*, 28, 07–128.
- Marsh, P. & Crow, G. (2003). Family group conferencing: A national process and outcome study in England and Wales—1997. *Protecting Children* 18 (1–2), 129–130.
- Maxwell, G., & Morris, A. (1993). *Family group conferences: Key elements*. Paper presented at the Mission of St. James and St. John, Melbourne, Australia.
- Merkel-Holguin, L., Nixon, P., & Burford, G. (2003). Learning with families: A synopsis of FGDM Research and Evaluation in Child Welfare. *Protecting Children* 18 (1–2), 2–11.
- Merkel-Holguin, L. (2000). Practice diversions and philosophical departures in the implementation of family group conferencing. In G. Burford & J. Hudson (Eds.), *Family group conferencing: Perspectives on policy, practice and research*. (pp. 224–231). Hawthorne, NY: Aldine de Gruyter.
- Merkel-Holguin, L. (1998). Implementation of family group decision making in the U.S.: Policies and practices in transition. *Protecting Children*, 14(4), 4–10.
- Moore, D., & McDonald, J. (2000). Guiding principles of the conferencing process. In G. Burford & J. Hudson (Eds.), *Family group conferencing: Perspectives on policy, practice and research*. (pp. 49–64). Hawthorne, NY: Aldine de Gruyter.
- National Child Welfare Resource Center for Family-Centered Practice (Summer 2002). Program Improvement Plans: An Agenda for Change. <http://www.cwresource.org/hotTopics/CFSR/pips.htm>
- Nixon, P., Merkel-Holguin, L., Sivak, P. & Gunderson, K. (2001). How can family group conferences become family driven? Some dilemmas and possibilities. *Protecting Children*, 16 (3), 22–33.
- Nyberg, E. Family group conferencing in Sweden. *Protecting Children*, 18 (1–2), 119–120.
- Paterson, K., & Harvey, M. (1991). *An evaluation of the organization and operation of care and protection family group conferences*. Wellington, NZ: Evaluation Unit, Department of Social Welfare.
- Pennell, J. (2003). Are we following key FGC practices? Views of conference participants. *Protecting Children* 18 (1–2), 16–21.
- Pennell, J., & Burford, G. (2003). Family group decision making: After the conference—Progress in resolving violence and promoting well-being. *Protecting Children*, 18 (1–2), 108–109.
- Pennell, J., with the assistance of J. Hardison & E. Yerkes. (1999). North Carolina Family Group Conferencing Project: Building partnerships with and around families: Report to the North Carolina Division of Social Services, Fiscal year 1998–1999. Raleigh, NC: North Carolina State University, Social Work Program, North Carolina Family Group Conferencing Project.
- Pranis, K. (2000). Conferencing in the community. In G. Burford & J. Hudson (Eds.), *Family group conferencing: Perspectives on policy, practice and research*. (pp. 120–130). Hawthorne, NY: Aldine de Gruyter.
- Regional Research Institute for Human Services and the Child Welfare Partnership. (June 1999). Strengths/needs based services evaluation: Biennial

- report. Portland, Oregon: Portland State University Graduate School of Social Work.
- Roberts, D. (2001). *Shattered bonds: The color of child welfare*. New York: Basic-Civitas Books.
- Schmid, J., & Goranson, S. (2003). An evaluation of family group conferencing in Toronto. *Protecting Children*, 18 (1-2), 110-112.
- Schorr, L. (1993). Keynote address. In *Effective strategies for increasing social program replication/adaptation: A review of the literature and summary of the seminar*. Washington, DC: National Association of Social Workers.
- Sieppert, J., & Unrau, Y. (2003). Revisiting the Calgary project evaluation: A look at children's participation in family group conferencing. *Protecting Children* 18 (1-2), 113-118.
- Thoennes, N. (2003). Family group decision making in Colorado. *Protecting Children* 18 (1-2), 74-80.
- Turnell, A. (1998, September). *Aspiring to partnership: The signs of safety approach to child protection*. Paper presented at the ISPCAN Conference, Auckland, New Zealand.
- Waites, C., Macgowan, M., Pennell, J., Carlton-LaNey, I., & Weil, M. (in press). Increasing the cultural responsiveness of family group conferencing: Advancing child welfare practice. *Social Work*.
- Walker, H. (1996). Whanau Hui, Family decision making, and the family group conference: An indigenous Maori view. *Protecting Children*, 16 (3), 8-10.
- Wheeler, C., & Johnson, S. (2003). Evaluating family group decision making: The Santa Clara example. *Protecting Children*, 18 (1-2), 65-69.

