

Balancing Justice and Welfare Needs in Family Group Conferences for Children with
Harmful Sexual Behavior: The HSB-FGC Framework

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Abstract

In England and Wales, family group conferences (FGCs) are most often found either in the field of youth justice or in the field of child protection, and consequently often have priorities in line with either one of the two systems. On the one hand, FGCs are a restorative justice tool to address offending behavior and hold young perpetrators to account, whilst giving victims the possibility of contributing to the justice process. On the other hand, FGCs address safeguarding concerns and are used to plan for child safety and protection. In cases where a young person has sexually harmed another young person, that is has perpetrated harmful sexual behavior (HSB), all young people involved will have both justice and welfare needs. FGCs are emerging as promising mechanisms in such cases, not only because of their ability to deal with both sets of needs for both young people, but because of their potential to address more holistic needs. However, HSB cases are often complex and sensitive, and are not without risk. Drawing on their experiences in research and practice, the authors explore how the holistic needs of both the harmed and harming individual can be balanced within a risk managed HSB-FGC framework.

Keywords: Family group conference, harmful sexual behavior, justice needs, sexual abuse, welfare

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What if, as professionals working with young people who sexually harm and who are sexually harmed, our efforts were in fact negatively impacting outcomes for the children we seek to protect? Young victims and perpetrators¹ of sexual harm generally have complex needs and vulnerabilities, yet the appropriate and necessary effort to 'avoid risk' can be a key driver for avoiding interventions that could actually prove beneficial. Despite mounting empirical and anecdotal evidence indicating that family group conferences (FGCs) can be helpful in some harmful sexual behaviors (HSB) cases (Anderson, in press; Gxubane, 2016; Henniker & Mercer, 2007; Zinsstag & Keenan, 2017), practitioners are often reluctant to consider the approach. With a specific focus on cases of HSB perpetrated by young people (aged 17 and under) on other young people who are known to them, the authors make the case that FGCs, and restorative approaches in general can, under the correct conditions, be an appropriate and beneficial response. The risks and challenges of using FGCs in sexual violence contexts are not to be underestimated, yet in many cases these risks can be managed, and the challenges overcome. The failure to fully explore options that can bring benefit without elevating risk does a disservice to the young people for whom we claim to advocate.

Drawing on their experiences both in practice and as academics, the authors firstly make the case that FGCs have the potential to ensure that the welfare concerns and the justice interests of young victims and perpetrators are adequately and equally addressed. A framework is then proposed for a HSB-FGC model, suitable for use in such cases. It is hoped that this paper will encourage practitioners to consider FGCs in HSB cases and to encourage

¹ Whilst the authors fully acknowledge the problematic nature of the terms, 'perpetrator' and 'victim' are nevertheless used in this article for ease of understanding.

theorists to explore the subject. Finally, a call is issued to practitioners already using FGCs to document their practice and share relevant experiences, to strengthen and enhance available knowledge.

Harmful Sexual Behavior

Harmful sexual behavior (HSB) is an emerging issue in child welfare and youth justice which is yet to be adequately addressed (Smith, Allardyce, Bardbury-Jones, Lazenbatt & Taylor, 2014). HSB encompasses a wide range of sexually abusive and harmful acts. These contact and non-contact behaviors range from rape and extreme sexual violence to indecent exposure and voyeurism (Grimshaw, 2008). HSB is distinct because it is perpetrated by a young person (under 18 years old) and such behaviors are always problematic. HSB may have started as experimentation or within the 'normal' range and 'gone too far', or may be premeditated, with abuse as a desired outcome. Consequently, HSB is often thought of along a continuum (Hackett, 2011a). Between 25% and 35% of all sexually aggressive acts are perpetrated by under 18's (Erooga & Masson, 2006) and young people who display HSB most often victimize other young people (Hackett, Phillips, Masson & Balfe, 2013).

Worryingly, the increase in young people's use of new digital technologies has brought with it an increase in digitally mediated opportunities for HSB in its various forms (Ringrose, Gill, Livingstone & Harvey, 2012). The "overwhelming majority" (Hackett, Phillips, Masson & Balfe, 2013, p.241) of sexual assault and HSB victims know the perpetrator. In around a quarter of HSB cases the victims are related (Hackett, Phillips, Masson & Balfe, 2013).

The 'community of care' is the social network of family and other concerned parties in which young people exist. There a high likelihood of a pre-existing relationship between the victim and the perpetrator, and also a likelihood of pre-existing relationships between members of the victim's community of care and the perpetrator, and vice versa. There are often also pre-existing relationships between members of the different communities of care.

Particularly where both young people are from the same social community, school or family, individuals may be in the community of care of both young people. Even in the absence of pre-existing relationships, the impact of HSB is felt beyond the victims and the perpetrators (Smith et al., 2014). The breach of trust and/or damage to pre-existing relationships is often a salient feature (Barnardos, 2016). Given the importance of relationship in HSB, an approach that can also address the needs of the wider social group holds particular promise.

Welfare and justice needs. Factors including chronological age, developmental level and social context influence how the victim and perpetrator understand, experience and respond to the HSB (Finkelhor, 2008; Hackett, 2011b; Hackett, 2014). HSB has many effects on victims and perpetrators, such as creating or revealing specific needs, including welfare and justice needs. Having welfare and justice needs fulfilled are important contributory factors in well-being and helping victims and perpetrators to move forward (Hackett, 2016). Indeed, both parties benefit if they feel that the justice process and outcome is fair (Henniker & Mercer, 2007). The needs of young perpetrators and victims are often thought of as discrete and distinct, but there is often overlap. In all cases needs can vary widely and are likely to be complex and multi-layered. This necessitates a response tailored for each individual, which builds upon existing strengths and resilience, whilst neither minimising the HSB nor increasing vulnerability.

Most HSB research focuses on the perpetrators rather than the young victims. However, research on the impact of child sexual abuse more generally, which has been widely covered elsewhere, can be extrapolated. Consequences for victims include mental ill health, poor self-esteem, post-traumatic stress and sexualized behaviors (Anda, Butchart, Felitti & Brown 2010; Finkelhor, 2008; Spataro, Mullen, Burgess, Wells & Moss, 2004). Welfare needs will, to some extent, be addressed by providing support around such factors. There is little research regarding the justice needs of HSB victims. However, justice needs

identified for adult sexual abuse survivors include: participation, voice, validation, vindication, and offender accountability (Herman, 2005; Clark, 2010). Justice needs are different for different people and can be different for the same person at different times (McGlynn, 2014). Therefore, it is possible that young people will have different justice needs to adults. However, addressing the welfare and justice needs of these victims will certainly involve protecting the victim from further abuse. It is important to remember in these cases that the effects of victimization are generally experienced more acutely when the victim is vulnerable, as young people often are (Finkelhor, 2008).

The HSB perpetrators are likely to have been sexually abused and/or neglected (Hackett, 2014). Boswell et al. (2014) found that 84% of young males with sexual harm offences had been sexually abused themselves. Having experienced abuse may be a factor when perpetrators do not understand the wrongness of their received or perpetrated abuse (Ringrose et al., 2012). It is important to emphasise that most young people who have been sexually abused do not go on to display HSB and that previous experience of being sexually abused is a poor predictor of future abusing behaviour others (Hackett, 2004). The young HSB perpetrator is primarily a child in need (Hackett, 2007). Their HSB can be self-abusive, hinder normal development, interfere with relationships, cause problems associated with social rule violation (Ryan, 2010) and increase the risk of psychological harm. Addressing welfare and justice needs for perpetrators involves attempts to limit and reduce future perpetration behavior, but efforts may include and/or extend to pedagogical, therapeutic, justice, and other interventions. Whilst the empirical evidence regarding 'what works' in preventing recidivism and/or meeting HSB perpetrator needs is still emerging, literature indicates that holistic and ecological models, such as multi systemic therapy and motivational interviewing (Rasmussen, 2013), are increasingly favored. These involve engaging with key life domains including school, community and family. The Good Lives Model (Ward, 2002),

for example, advocates a holistic approach to working with young people with HSB, acknowledging their needs as vulnerable young people and not merely as abuse perpetrators.

Assessment and service responses to HSB remain patchy and inconsistent, and whilst policy begins to specifically refer to the importance of both fields collaborating (NICE, 2016) a broad disconnect exists between youth justice and youth welfare in addressing the needs in HSB cases. However, in such cases both parties are minors, and an adequate response involves giving equal attention to the welfare and justice needs of both young people.

Family Group Conferences

Family group conferences (FGCs) are family-led decision making processes in which a plan is developed for the care and/or protection of a young person (Ashley & Nixon, 2007). Much has been written about FGCs in both child welfare and restorative contexts (Ashley & Nixon, 2007; Barnsdale & Walker, 2007; Beck, Kropf & Blume Leonard, 2011; Fox, 2008) so a detailed discussion of welfare FGCs, as used in social welfare contexts, or restorative FGCs, as used in justice contexts will be omitted. The underlying philosophy is that families, not professionals, are the 'experts' on their own family situation and difficulties, and that most families have sufficient strengths and resources to make competent decisions around meeting their children's needs (Ashley & Nixon, 2007). FGCs acknowledge that families have the right to participate in decision-making on issues that significantly impact them and allows this to happen in the absence of overbearing interference from statutory mechanisms, which can steal away the conflict (Christie, 1977). In this respect FGCs are quite distinct from the more common, professionally dominated approaches (Connolly & Morris, 2011). FGCs allow the uniqueness and diversity of families to be reflected in the plans created. An impartial co-ordinator supports and guides the FGC process.

FGCs tend to be organized in either the social care/protection sphere, to plan for the future of a 'child in need', or in the field of youth offending, to respond to harmful behavior

(Beck, Kropf, & Blume Leonard, 2011). Unsurprisingly, FGCs organized within a particular area of practice tend to reflect the organizational culture, needs and goals. There are similarities between FGCs that are typically organized and practiced in the social welfare and the youth justice spheres, such as the emphasis on a strength's-based approach, a drive to respond to the holistic and individual needs of each young person and a fundamental goal of keeping children and young people safe (Beck, Kropf & Blume Leonard, 2011). However, there are also elements of discord, such as a greater emphasis on empowerment-based values and principles in welfare-based FGCs and a greater emphasis on restorative values and principles in youth justice FGCs (Connolly, 2009). The authors present a HSB-FGC model, which finds its place in both the social welfare and youth justice spheres and has the potential to bring the two spheres together to better meet the needs of young people in HSB cases. The task of bringing together both types of FGC does not necessarily mean changing the fundamental process, but rather working collaboratively to foster commonalities in practice and develop a shared language. This task is not as large as it may at first appear, particularly when the high proportion of social work qualified staff within UK youth justice teams is considered.

Potential strengths, weaknesses and risks of FGCs in HSB cases. FGCs and similar restorative responses are often championed as ways to respond to transgressive and offending behaviour in young people (Chapman, Gellin, & Anderson, 2015) and research indicates benefits of this approach for both perpetrators and victims (Martin et al., 2009). Support for the use of restorative practices for sexual assault cases is "highly contentious" in many quarters (McGlynn, Westmarland & Godden, 2012, p.213). However, such approaches can be used safely and with positive outcomes in cases of sexual abuse and family violence (Hennessy, Hinton, & Taurima, 2014; McGlynn et al., 2012; Oudshoorn, Jackett & Stutzman Amsstutz, 2015; Pennell, 2006; Zinsstag & Keenan, 2017). Despite this, when it

comes to cases involving young people and sexual harms, including HSB, there is often reluctance and/or criticism around considering a restorative approach (Cossins, 2008). The concerns raised should be taken seriously. Indeed, the success or failure of such restorative processes can depend on subtle factors such as the extent of the trust in the authority leading the process (Sherman & Strang, 2007). A growing body of practice and theory indicates that under the correct circumstances FGCs can be used to successfully meet the needs of both the victim and the perpetrator in HSB cases involving young people (Anderson, in press) (Gxubane, 2016; Henniker & Mercer, 2007). Despite this growing evidence, the practice remains uncommon in the UK. One possible reason is the lack of information for practitioners. The HSB-FGC framework presented in this paper attempts to address this. The authors have identified key areas for consideration, when addressing needs in both areas of praxis and have identified the strengths of using FGCs in HSB cases but also potential pitfalls and risk to young people. First, however, attention will be given to some of the strengths and weaknesses of FGCs for HSB cases.

A 'soft-option' response. FGCs and restorative responses may be considered as a 'soft' option in sexual harm cases (Daly, 2002). Criticisms include: that they do not hold perpetrators sufficiently accountable, that they lack legal standards and procedural safeguards, and that such processes, which are often largely private, do not convey appropriate levels of censure. However, such beliefs are increasingly countered (Curtis-Fawley & Daly, 2005; Zinsstag & Keenan, 2017). Some HSB perpetrators judge FGCs as more challenging than a prison sentence (Gxubane, 2016). Importantly, therefore, young people may find the process challenging and this should be taken into consideration. Gal (2011) argues that restorative justice can meet both the needs and the legal rights of young victims, and research suggests that victims often feel that justice has been served following a FGC and are satisfied with the outcomes (Kohn, 2010; Pennell, 2006). Nevertheless, FGCs

may be most effective when combined with other interventions.

Fixing identities and labelling young people. A pre-requisite for youth justice FGCs is that perpetrators agree to the facts of the case, which is not the same as admitting guilt in the legal sense and take 'active responsibility' (Braithwaite & Roche, 2001, p. 67) for the harm caused. This person is often referred to as the 'offender' or 'perpetrator' and the young person who has experienced the direct harm is often referred to as the 'victim'. Both of these terms can be problematic, with implications for how the young people are seen by others but, importantly, also how they view themselves. Receiving the label of 'sex offender' is particularly stigmatising (Hackett, Masson, Balfe & Phillips, 2013). Braithwaite's theory of re-integrative shaming (1989) posits that when restorative methods are successful it is precisely because they do not produce stigmatising shame. Negative labels can jeopardize this and may also lead to denials that can hinder both young people from addressing the issues and moving forward (Daly, 2008). It is important that confidentiality standards are set and agreed.

Power Dynamics

Perpetrators often coerce and/or control HSB victims through implicit or explicit threats, which are made to gain leverage and decrease the risk of disclosure. Power dynamics play out in multiple, and often subtle, ways. In child sexual abuse and domestic abuse cases, FGCs and similar meetings may reinforce power imbalances and cause re-victimization (Cossins, 2008). Particularly in cases where denial and minimization exist (Sefarbi, 1990), perpetrators can undermine FGCs by further intimidating the victim (Hopkins, Koss & Bachar, 2004; Kohn, 2010; Mills, Grauwiler & Pezold, 2006). However, potential negative outcomes can be reduced when facilitators in sexual violence cases have specialist knowledge and skills (Zinsstag & Keenan, 2017). In sexual violence cases New Zealand, FGC facilitators must work with a family violence expert who helps participants to understand

how family violence manifests and seeks to identify any controlling behavior demonstrated by the perpetrator (Hennessy, Hinton & Taurima, 2014). Indeed, adult sexual violence victims report positive experiences when restorative justice processes are facilitated by sexual victim experts who centred the processes around victim needs (Wager, 2013). However, studies of adult experiences may not also apply to young people.

FGC processes do not necessarily exacerbate the abuse experience for women and children have been physically or sexually abused. Family members often prefer FGCs to child protection conferences. FGCs can lead to women and children feel empowered and in control of the process of decision making (Ashley & Nixon, 2007). This can be contrasted with legal proceedings, in which abused children can feel disbelieved, disrespected, unsupported and anxious, and which can lead to disappointment if the defendant is not convicted (Back, Gustafsson, Larsson & Berterö, 2011). Indeed, court-based approaches to justice in sexual abuse and domestic abuse cases can further traumatize victims, many of whom will have to face their abusers in court (Koss et al., 2003). Victims often feel that the offence is minimized throughout the court process and that that the nature of the questioning by the defence team, exacerbates feelings of shame and self-blame (Orth and Maercker, 2004). Koss et al. (2003) argue that restorative approaches to justice offer an opportunity to address some of these failings in the court process. However, it is crucial to recognize that risks also exist within restorative approaches.

Empowering Young People and Their Communities of Care

Young people may be shy and uncomfortable talking in groups (Gal & Moyal 2011) or not having the confidence, vocabulary, willingness, or language competence to discuss the topic. Young people may be challenged in understanding and displaying appropriate non-verbal communication (Snow & Sanger, 2011). Young people may experience the presence and/or intervention of parents and adults negatively (Hoyle & Noguera, 2008) and be

embarrassed in front of them. Similar factors may also present for members of the communities of care, some of whom may also be young people. These factors can be magnified when it comes to communicating about a sensitive topic such as HSB. Whilst there may be barriers, these factors are not necessary blocks to FGCs. Whilst it is not self-evident that young victims and perpetrators will feel empowered in the process, it is possible in well managed cases. Youth welfare FGCs are often based on values and principles related to empowering young people (Connolly, 2009). In practice, young people who experience FGCs feel empowered by the process, welcome the opportunity to have their views heard by their families, and value contributing to the planning process (Bell & Wilson, 2006). Indeed, because HSB is such a difficult subject to discuss, many families welcome and need the opportunity to talk about the HSB in an emotionally safe forum, such as offered by FGCs (Henniker & Mercer, 2007).

Women may be empowered by in FGCs and restorative processes through being enabled to lead the process, 'take back' control over their lives and those of their children (Pennell & Burford, 2002) and regaining their voice (Clark, 2010). Additionally, FGCs can encourage adult male perpetrators to take responsibility for their actions and contribute to the welfare planning for their children (Inglis, 2007; Pennell & Burford, 2002) and may lead to increased and more positive involvement of fathers than traditional child protection (Holland, Scourfield, O'Neill & Pithouse, 2005).

Communities of care and families. The family environment may have caused or contributed to the harm in some HSB cases and families cannot be assumed to be safe. Where continued abuse is evidenced, or suspected FGCs are unlikely to be suitable, and the immediate protection of the young people should be prioritized. Where sibling sexual abuse occurs, for example, family characteristics typically include: inaccessible (physically and/or emotionally) parents, inappropriate exposure of children to sex or sexuality (e.g. contact with

pornography or inadequate boundaries around adult sexuality), parental neglect or rejection of children, high levels of marital/relational conflict and chaotic home environments (Tidefors, Arvidsson, Ingevaldson & Larsson, 2010). Many HSB perpetrators have experienced abuse within their families, with the families of those who harm a sibling being the most dysfunctional (Tidefors, Arvidsson, Ingevaldson & Larsson, 2010). Further, in some cases, “[v]ictims often perceive quite accurately that their abusers are acting with the tacit permission, if not active complicity, of family, friends, church, or community” (Herman, 2005, p.572). Yet, “FGCs are intended to empower and value participants while building upon the resources of the extended family and community” (MacRae & Zehr, 2004, p.11). Therefore, the FGC process should empower families to identify and strengthen protective factors, through clearly defined steps². When families commit to participation in the FGC towards the shared goal of resolving a family issue. For families facing complex issues such as HSB, this can be particularly valuable step.

The concept ‘family’ actually refers to the young person’s ‘community of care’. All people who are considered (by the young person and/or themselves) to have a stake in the young person’s life and welfare may be eligible to participate. Professionals with a stake in the young person’s welfare may be invited to attend and take an active role but should not dominate the process. Youth justice FGCs based on the Australian ‘Wagga Wagga’ model, are led by police officers (Zinsstag, Teunkens, & Pali, 2011). Wider community members may be included in FGCs, although particularly in cases involving minors, confidentiality should be respected. In all cases there should be a sensitivity to the cultural needs of the family.

Cultural Sensitivity

Drawing on indigenous traditions, FGCs were introduced into legislation in New

² For more information see the Family Rights Group website: www.frg.org.uk.

Zealand in response to structural racism and oppression (MacFarlane & Anglem, 2014). However, the flexibility of FGCs has allowed their successful use in different countries (Barnsdale & Walker, 2007; Skaale Havnen & Christiansen, 2014). Self-generated plans are likely to be culturally relevant and also meaningful, making FGCs culturally competent practices (Barn & Das, 2015). However, where the family culture is permissive, minimizing or complicit with HSB this can be a risk and is likely to be a contra-indication to conducting an FGC.

Relationship with Therapy

FGCs are not therapy and should not replace therapy. However, for some participants, the opportunity to talk with others to address problems, issues and difficulties may have some therapeutic effect (Holland & Rivett 2008). Indeed, restorative justice approaches can minimize stressors including fear of re-victimization, and in some cases, this could reduce victims' need for counselling (Daly, 2002). Complexities and dysfunction may be created or revealed in families by the discovery of HSB, and often support is needed to navigate this. FGC processes can occur alongside therapeutic processes (McNevin, 2010). Cooperation between FGC facilitators and therapists may have benefits. For example, facilitators have referred sexual harm victims to counsellors so that they could explore therapy prior to starting the FGC (Oudshoorn et al., 2015). Ideally, the timing of FGCs is fitted to individual needs.

Timeliness. The timeframes associated with FGCs can be important factors in their success (Mercer, Sten Madsen, Keenan, & Zinsstag, 2015). Due to the desire to move young people through the justice system swiftly, restorative measures in youth justice contexts are often required to be completed within short timeframes (Chapman, Gellin & Anderson, 2015; Ministry of Justice, 2015). In reality, victims need time to prepare, and be prepared, for the FGC. Being aware of restorative processes prior to one's own case reduces barriers to participation (Pali, 2010). This is often more important where the FGC process was not

victim initiated, and in complex or sensitive cases such as HSB. Further, the length and quality of preparation time directly influences the family's ability to develop safe and successful plans (Barnsdale & Walker, 2007). An important benefit of FGCs is that they can be used within and outside of the criminal justice system and at all stages of the criminal justice procedure and can also function alongside other statutory interventions (Family Rights Group, 2009).

Future Planning

Empowering families to make their own plan encourages them to focus and build upon existing strengths and resources. Cooperation and responsibility taking is encouraged, and practical and emotional support systems can be included. and families comply more where they have process ownership (Frost, Abbott & Race, 2015). Critics of FGCs in cases where children are sexually harmed argue that the family is unsafe and, consequently, cannot be entrusted to develop a safe plan for child protection purposes (Pennell & Burford, 2000). Extended to HSB, the case can also be made that the family is unsafe for the perpetrator. Whilst it will be true in some cases that the family is not a safe environment and is unable to meet either set of needs, some research suggests that the assumption of an unsafe environment is not always sound. For example, Pennell and Burford (2000) found that where families had a FGC, reports of physical or sexual abuse were halved. Conversely, families who experienced traditional case planning approaches reported increased abuse. Furthermore, the research found that FGC processes have the potential to strengthen fragmented family relationships, which is particularly significant for interfamilial HSB. FGC evaluation studies have evidenced that most families involved in FGCs develop safe plans for children (Lupton & Stevens, 1997; Pakura, 2003). Children tend to be better protected when families engage with decision making (Featherstone, White & Morris, 2014; Sidebotham et al., 2016).

In youth justice contexts, FGC plans contains actions for the young perpetrator,

mainly around making amends to the victim and preventing future offending behaviour (Chapman, Gellin & Anderson, 2015). In some jurisdictions, such as Northern Ireland, the agreement must be deemed proportionate and in the public interest by judicial authorities (Chapman, Gellin & Anderson, 2015). Such conditions protect stakeholder interests but may detract from the family-centred nature of FGCs (Campbell et al., 2005).

The HSB-FGC Framework

In the following section the authors propose a new framework, that can assist practitioners in delivering FGCs in HSB cases, particularly where young people knew each other prior to the harm. Models and toolkits of restorative approaches for young people are not new and the HSB-FGC framework can be used in conjunction with such tools (see Chapman, Gellin & Anderson, 2015). The elements presented here are not exhaustive. It is hoped that, in combination with the information already presented in this paper, the framework will stimulate practitioners to explore the possibility of using FGCs in HSB cases and help them to balance welfare and justice needs within FGC processes. While family member needs are considered important, they are largely neglected here for brevity.

Initial assessment stage. The FGC service manager will allocate an appropriately skilled, impartial FGC facilitator to the case, who will work with all stakeholders, ensuring they understand the FGC purpose and functioning. HSB cases can be emotive and difficult for practitioners (Hackett, 2006) and sound professional supervision arrangements should be in place. Co-facilitation may be beneficial, particularly in complex cases and/or where there are numerous involved parties. The facilitator(s) should have specialist knowledge of HSB/sexual violence and its effects and impacts, and prior experience of conducting FGCs with complex cases involving young people and/or work with a specialist. The facilitator should be attuned to family dynamics, should be able to recognize signs of coercive control and the potential for the FGC process to exacerbate the trauma. The facilitator's role involves

determining whether an FGC is a desired and appropriate action. It may be decided that the FGC should only go ahead after other interventions, such as therapeutic input for the participants. Wherever appropriate, the facilitator should work with partner agencies, within information sharing protocols, to ensure that appropriate information is gathered and shared. Social worker and/or youth offending team reports and information from therapists, teachers and other professionals can be helpful. In cooperation with the young people and other involved professionals, the facilitator will identify who should be invited to attend the FGC and who may not be appropriate to attend.

Young people will be informed that certain professionals, for example youth justice and/or social care professionals, may need to attend. However, the attendance of other, 'peripheral professionals', such as teachers, youth workers or counsellors will be at the discretion of the young people. This helps to ensure that the meeting remains 'family-led'. Decisions will also be made about who to 'exclude' from the FGC. Exclusions may include adults who have abused either of the young people, those who deny and/or minimize the abuse, those who are coercive, or those likely to be disruptive.

All parties must give informed consent, should participate voluntarily, and are free to withdraw from the process at any time (Chapman, Gellin & Anderson, 2015). Facilitators should explain the FGC process and its risks, limits and potential benefits to both young people, and check their understanding and that they are not being coerced to participate. Attention should be given to identifying the needs, potential vulnerabilities and strengths of both young people equally (Chapman, Gellin & Anderson, 2015). The HSB perpetrator should agree to the facts of the case and accept responsibility and the wrongness of their actions. Ideally, the victim should have some understanding of their victimization. Risks should be assessed, and management plans put in place to enable full participation and prevent secondary victimization. Young participants should feel, and indeed be, 'safe' within

the FGC and afterwards. Assessments that examine risk and protective factors, such as the AIM II or ASSET Plus, may be helpful. FGCs should take place within a wider context of providing the family with support and tools. Psychosocial interventions may be necessary to address potentially abusive and neglectful home environments.

Participant preparation stage. The importance of this stage is not to be underestimated. Coordinators have to balance allowing sufficient time for in-depth preparation of the parties, whilst minimising unnecessary delays. Barriers to participation related to physical, psychological and/or practical needs, should be assessed and reduced (Mercer, Sten Madsen, Keenan, & Zinsstag, 2015). Additionally, attempts should be made to incorporate cultural needs. Such sensitivity might relate to religious practice, for example by avoiding holding a meeting on the Sabbath, or to family culture such as by closing the meeting with culturally appropriate food or having the picture of a mutually respected family member at the centre of the circle during the meeting. Participants should learn what they should expect from the meeting and what they should not expect. Finally, young people may also benefit from the assistance of an advocate.

It should not be assumed that FGCs are a 'soft option' for young people, and they should be given extensive support and preparation in line with their level of understanding and development. Given the nature of HSB and the difficulties young people may have in talking about the subject, some considerable assistance and support may be required to help young people formulate their thoughts and ideas. Creative methods such as role-plays or the use of puppets or props may be helpful tools for explaining things to young people and also for assisting them in their communication. Young people may like to prepare and/or receive some questions in advance of the actual meeting to reduce potential anxiety and facilitate communication. Facilitators should use information technology where this can assist, for example by filming young people and playing the recording during the meeting to avoid the

young person having to say everything in situ.

In cases where the perpetrator has also been victimized it can be important and helpful to address this victimization separately, and preferably first (Porteous, Adler and Davidson, 2015). However, this should in no way detract from the victim's position or experience as the wronged party in the instance at hand. By the end of the preparation stage stakeholders should be informed and feel empowered.

The HSB-FGC Meeting: Information Sharing and 'Private Family Time'

FGC processes can be flexible, but typically participants will be asked to plan for: (1) how both young people can be kept safe; (2) how the victim can be supported in managing the abuse impact; (3) how the perpetrator can be supported in addressing their behavior; (4) how the perpetrator can take steps towards repairing the harm and demonstrate responsibility for their behavior (Mercer and Madsen, 2015). The meeting will usually be divided into four stages: Information sharing, private family time, agreeing the plan, and the follow-up. Professionals provide background information, outline the issues that must be addressed during the FGC, describe the specialist services available to support the young people and are clear about what will not be agreed to (Mercer and Madsen, 2015). They can also answer questions from the families. However, it is important that the professionals do not dominate the conversation.

The meeting should be held in a neutral setting, in which all stakeholders feel equally comfortable (Ashley and Nixon (eds,) 2007). HSB-FGC should avoid the use of stigmatising terms such as perpetrator and offender, to avoid labelling young people (Daly, 2008). However, the responsibility of the person who carried out the harm should not be minimized. It is important that participants experience the meeting as being a fair process. At the start of the meeting ground rules will be agreed, which may have been discussed with the young participants in advance. These rules should contribute the emotional and physical safety of

the meeting. For example, rules about turn taking during conversations will avoid that particular people dominate the conversation and may go some way to address power-imbances, which might otherwise influence the process. However, facilitators should always be aware of power dynamics, which can be extremely subtle and take the form of, for example, exchanged glances. Additional parameters should be established. For example, the victim's choice of term, be it 'victim', 'survivor' or otherwise, should be asked and then used throughout the process. The information sharing stages allow all parties present to speak with each other about what happened, share their thoughts and feelings and to raise important issues. The victim's sense of safety is paramount, and ground rules may need to be revisited. Facilitators should ensure that everyone has their say and ensure that nobody dominates (Chapman, Gellin & Anderson 2015; Mercer, Sten Madsen, Keenan, & Zinsstag, 2015). The use of a 'talking piece', which determines the person who can speak at any given time, can help. Following the information sharing, families will have 'private family time' without professionals present to develop the plan. However, supporting advocates and/or the facilitator can assist if required.

Agreeing the HSB-FGC plan and follow-up. The professionals should make the community of care aware of needs and risks that have to be addressed and advise how these might be met if not done so by the plan. The plan will focus on meeting the welfare needs of both young people by, for example, by addressing issues around contact between the victim and perpetrator and stipulating therapeutic interventions (Mercer, Sten Madsen, Keenan, & Zinsstag, 2015). The plan will also focus on addressing the justice needs of both young people by, for example, containing elements that address the HSB of the perpetrator and elements of reparation towards the victim. Plans should seek to reduce risks, including risk of harm to self and others (Mercer, Sten Madsen, Keenan, & Zinsstag, 2015). Additionally, the focus should be on emphasising existing strengths and providing positive future outcomes for

the young people. Ideally, community of care members should agree to help and support young people in fulfilment of the plan. Professionals will check plans to ensure they are safe for each young person. Where more than one family is involved, both families will be involved in deciding the restorative element, but the welfare planning for each young person may have to take place with each separate community of care, particularly if there are confidentiality issues. It is helpful for measuring outcomes and compliance if the elements contained within the plan are specific, measurable, achievable, realistic and time-bound (Wallis, 2014). To ensure that HSB-FGC plans are adhered to a review, within a timescale agreed between professionals and families, allows monitoring and for changes to be made in respond to emerging risks and needs. Additionally, and importantly, good progress can also be praised during this time.

Conclusion

In this paper, the authors have traversed thorny ground and brought together two sensitive topics which have the potential to provoke professional discourse and even polarise opinion: HSB and FGCs. The use of FGCs in HSB cases is complex, and the cautions and concerns, particularly relating to victim safety, should not be ignored. It is important to understand and minimize the risks. Such risks include re-victimization of the victim, the exploitation of power dynamics during the process, that participating young people will have challenges with communicating in the FGC, that victim and perpetrator will not be equally prioritize, and that the FGC plan will be inadequate in meeting welfare and/or justice needs. Importantly, it is also a possibility, and therefore risk, that the family may be unwilling or unable to recognize the needs of the young people. In this last case, an FGC is unlikely to be suitable. This paper recognises these risks and provides some ideas for the safe practice of FGCs in this area.

The authors have drawn on the evidence to illustrate that when such concerns can be

addressed, FGCs have potential in HSB cases involving young people, particularly those who were known to each other prior to the harm. In all cases, the perpetrator should accept the facts of the case and the wrongness of their actions and be committed to addressing his/her behaviour. Additionally, neither young person should feel coerced into participation.

FGCs are not appropriate for all cases, and they are not a panacea. They are, however, collaborative processes, which have the potential to serve both welfare and justice needs of both young people involved. FGCs are being rooted in ecological and systems approaches, with a focus on the responsibility of family members, and this reflects the current discourse on best practice in addressing HSB. This paper has made some suggestions for a HSB-FGC framework, which represents a combination of the approaches typically used in the welfare and youth justice fields and offers the potential for the layered welfare and justice needs of both young people involved to be addressed concurrently. Further, the authors hope that the emerging evidence and HSB-FGC framework presented here will encourage practitioners to consider the use of HSB-FGCs, and that they will go on to share their thoughts and experiences with the research and practice communities, to add to the evidence base. Furthermore, with policy, practice and service responses to HSB still being relatively in their infancy, this presents an opportunity for policy makers in both service areas to be creative in approaches to addressing HSB and to move towards a more collaborative approach to addressing the needs of young people.

Disclosure of Interest The authors declare that they have no conflicts to report

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