

Promoting the Participation Rights of Children and Young People in Family Group Conferences

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Family Group Conferences are being used in a range of decision making forums around the world. They operate with an empowering methodology that enables service users to participate in decision making. For children and young people however the empowering potential may be minimised by the fact that it is an adult decision making forum. The need for advocates to support children and young people in these meetings has been recognised and this paper uses the experiences of a Barnardo's Family Group Conference Project in Wiltshire to identify the benefit of advocacy support. It argues that all children and young people involved in Conferences should have the right of access to an independent advocate to enable them to participate.

This paper draws on work of Barnardos Family Group Conference Project in Wiltshire to argue that all children and young people involved in FGCs should have the right of access to independent advocacy to enable them to participate in the process of decision making. Following a consideration of the concept of participation we use examples from the work of the project to examine the advocacy role to promote participatory practice.

Participation has been described as:

The process of sharing in the decisions which affect your life and the life of the community in which you live (Lansdown, 1995: p.17)

What this should mean in Family Group Conferences is that both the young people and the adults involved have an opportunity to work together to make a decision - with the views of young people having the same weight as those of adults. The accounts of children and young people have shown that they have a standpoint (Hendrick, 2000). This terminology, taken from feminism, means that knowledge always has a perspective or a 'standpoint' from which the world is known. In respect of children and young people this means that developmental psychology and sociology have been dominated by adults and so it responds to questions that adults want answered. Such questions arise from desires to control, exploit or manipulate children and young people and to maintain adultist power by understanding them as less than adults. If therefore children and young people are to be able to participate as active citizens and social actors then 'we have to be extraordinarily sensitive to their standpoint, rather than those of their parents, school teachers, social workers and others' (Hendrick, 2000: p.55).

The effects of dominant discourses about participation however have been cited as hindering participatory processes in particular areas of practice. Examining the effects of discourse about participation and child protection practice Healy (1998) suggests that the notion of participation in health and social care practice has been imported from various other disciplines, such as community development, social planning and social movements such as feminism. This then limits the development of participatory practice in areas of work such as child protection because it is based on an understanding that there is a set of universal practice implications accompanying participation, which takes no account of context. Furthermore, she argues that the oppositional pairing of

participation and paternalism denies the complex power relations that are inherent in child protection work. Her consideration of participatory practice that is responsive to the power relations existing in the context of child protection can be applied to any discussion which address the participation of children and young people in an adult world.

Healey draws on post-structural theory to critique assumptions about power that underpin participatory models of practice. Foucault's principles for the analysis of power involve an understanding that power is not possessed by one group - adults - and imposed on another group - children/young people. Participatory practice then does not mean denying the power of adults but is about assessing the varying power relations that will exist within different practice contexts. Rather than viewing children and young people as powerless and thus needing to have power transferred to them, participatory practice acknowledges the complex power relations present in a given situation. In a review of research literature concerning the participation of children in care processes and decision making, Cashmore (2002) found that on the whole children and young people would prefer more involvement than they normally experience in the way decisions are made about their lives. She notes research by Thomas and O'Kane (1999) which found that children and young people do not 'want their own way' in such situations but they do want to 'have a say'. They want information and to be involved in the process rather than self determination or control over it. Within that process adults then need to listen to and respect the views of children and young people, be prepared to enter into dialogue with them, and be open and honest in all their communications. The relationship then is neither a hierarchical 'adults know best' position nor an approach where the adults renounce their power completely. Rather it is one where adults are reflective and reflexive in their relations with children and young people with the notion of participation linked to the institutional contexts of practice (Healy, 1998).

The participation potential of Family Group Conferences

The growing interest in the use of Family Group Conferences (FGCs) in the UK is evidenced by the increasing number of projects developing in a range of decision making situations, The most recent survey of FGCs indicates that 55 per cent of Councils with Social Services responsibilities either have a project or are considering setting up a project. The number of 'established' projects has doubled since 1999 from 20 to 42 with use of conferencing in domestic violence, youth justice and education as well as in 'family support' (child protection, accommodation needs and looked after children) cases (Brown, 2001). The development of the FGC approach to decision making has also been embraced in social work literature as a way of promoting participation through working in partnership with families and sharing power (Lupton and Nixon, 1999).

In practice though there has been resistance to the use of FGC's by some professionals at a number of levels and Lupton and Nixon suggest from their study of FGCs in England and Wales that not only are they liable to manipulation by professionals but they remain marginal to the core business of social services. Disempowered workers within proceduralised departments are unlikely or unwilling to share power given the political scrutiny of their work. Furthermore, from the perspective of children and young people, the Family Group Conference approach to decision making is an adult decision making forum, in which children may feel as disempowered as they do in reviews and case conferences.

Within this context the children and young people involved are likely to feel as uncomfortable about the FGC process as in other decision making forums. It is for this reason that there has been increasing use of advocates in FGCs and the importance of children and young people having someone to support them has been recognised (Wiffen, 2000). From research on the use of FGCs in the UK it has been suggested that children and vulnerable adults should be provided with an advocate if there is no one within the family group who could take on this role (Nixon, 2000). The involvement of an advocate represents an acknowledgement of the complex power relations within a family and within the context of any meeting instituted by professionals. The skill of the advocate is to facilitate participatory practice.

Promoting participation - the Wiltshire Project

The Wiltshire FGC project began with the philosophy identified by Nixon above - that that if the conference is another adult decision making forum then advocacy support is crucial, but that ideally such support should be someone that the child or young person knows. It soon became apparent though that it was not easy for some children and young people to identify a natural advocate. A small grant was therefore obtained to pilot independent advocacy within the project. The grant has helped us to provide advocacy training, ongoing support and payment for independent advocates. Eight FGC co-ordinators and two family centre staff were initially selected to train as advocates. The training considers definitions of advocacy, advocacy skills, issues in identifying and supporting a natural advocate, the role of an advocate and how it might be viewed by family members. The first group of advocates were trained in 1998 and since then there have been regular training events to increase the number of advocates available.

ADVOCATES IN FAMILY GROUP CONFERENCES	
Of the last 79 children involved in a FGC	
Aged 4 and under - no advocate	11
Child refused offer of any advocate	6
Child chose advocate from own family or professional network	11
Child chose to use independent advocate	51

The chart above indicates that there are a significant number of children and young people who see the advantage of having a supporter who is independent of the family network. An initial evaluation to assess the impact of independent advocates on conference process has been undertaken and there is ongoing evaluation of all FGC's. For the advocacy project additional evaluation at the beginning involved interviews with ten young people aged from 6-13 years old who chose to have an independent advocate, a group meeting with four of the young people and a half-day workshop with advocates.

On receiving a referral the co-ordinator of the FGC identifies with the child or young person if advocacy support is required. If a natural (family) advocate is identified then the co-ordinator will prepare that person for the advocacy role. If an independent advocate is identified then one of the trained advocates will work with the young person. Inevitably they will have a tight timeframe to work within and the amount of contact has varied within the project from one meeting immediately prior to a conference to five or six meetings. However it would seem that both young people and advocates agree that there is an optimum of two to three meetings if the advocacy relationship is to be meaningful and effective.

One of the criticisms of the use of advocates has been to question the advocacy role. Beecher and colleagues ask:

Are, for example, advocates there to give emotional support, to give practical support, to represent the child and put forward views on their behalf, or a combination of these things? (2000: p.7)

It is therefore important to be very clear about what advocacy is. We have found that children and young people who have had an independent advocate are able to give coherent explanations. One young person has described her advocate as:

'... someone who can help you in the meeting. Who is your friend. We had a special sign that if I got upset or wanted [the advocate] to say something... Then I could go out if I wanted. We talked about what I would want. We talked about what I would like, about a plan.'

While another demonstrated how the advocacy role needs to be both independent and confidential:

'Tell them everything so they know what's going on - don't be afraid to tell them they aren't going to tell the whole street. They will help you say how you feel - don't worry about it.'

In the advocacy training we therefore begin by considering our own experiences and think about what advocacy is and what it is not. While advocacy is not easy to define we have found the following definition useful:

Where people have their own voice advocacy means making sure they are heard; where they have difficulty speaking up it means providing help; where they have no voice it means speaking for them (Herbert and Mould, 1992: p.49).

This clarifies the role of the advocate - to make sure that the child or young person involved is able to 'have a say'. It means that advocates need to work with the children or young people involved to find out what information they want the FGC to know. They can then decide together how that information will be given to the meeting, which can be in a variety of ways. For example one young person (age 10) was helped by her advocate to put her information on a flip chart. Whilst she knew that she could not live with her mother she also wanted her mother to know how much she loved her. So her information consisted of Plan A - to live with her Mum, and if that was not possible then Plan B was to live either with her grandparents or her Dad. She then wrote 'There is no Plan C'. She did not want to have to make this decision herself so she also stated that 'You will have to make this decision as I am only ten'. In this way she was able to very clearly tell the family what the parameters of negotiation were. There were pieces of information that she wanted the meeting to think about but felt that she did not want to be in the room when they were talking about them - so

she wrote these bits in red felt tip and the rest in black. The advocate therefore was able to find a way to help her share her view, identify what parts of the decision making she did and did not want to be part of and support her to 'have a say' and be heard. So, as one young man explains, the advocate is a:

'Person that helps you; and if you can't say anything she'll speak to you privately; and if you want her to stay out with you and if you have any problems...'

There were some very painful decisions to be made for this young man, whose mother was dying, and so the fact that it was all right to leave the meeting, and be supported to do, so was important to him. This supportive role is very much an advocacy task for the duration of the meeting. If there is a need for ongoing emotional support, however, then this is the role of the social worker. The advocate is not an alternative social worker, but someone to ensure that the child or young person is able to participate in the decision making.

Deciding what information is to be given to the conference is another key role. In order to be able to participate the child or young person needs the confidence to say things within the family without hurting some family members. One young man had lived with his mother and step-father for most of his life and told his advocate that he loved his step-dad more than his real Dad. This presented him with a problem when going out with his birth father clashed with important regular outings with his step-father, such as going fishing; However he did not want his birth father to be hurt. The advocate and the young man therefore worked out a proposal which meant that he could still see his birth father on a regular basis (which he wanted to do) but at times that did not deny him opportunities to spend time that he enjoyed with his step-father. There was no need for the family to know why. In this way the advocate enabled the young person to have a voice where he had felt unable to speak before. This is an advocacy skill described in the following description of an advocate:

An advocate was good. It was someone I could tell my secrets to. I've got someone I can tell secrets to who I know can't tell. (Age 7).

The 'secret' is not about keeping confidential information that should be shared with the family or other professionals. It is about helping the child or young person to manage and negotiate within the family network in a way that is acceptable to them and enables them to come to voice.

These are just a few examples of the work of advocates in the Wiltshire project. We believe that there is a clear need for children and young people to have access to independent advocates - and the fact that a significant majority of the young people in the project have chosen this option would indicate that they also see its advantages. However there is still ambivalence about whether children and young people need independent advocacy. Lupton and Nixon (1999) state that children and young people seem to be as positive about the FGC process as the adults involved. There is not a lot of research though that specifically considers the views of children and young people's views about participation in FGCs. Clarkson and Frank (2000) have an ongoing evaluative project to ascertain how far children and young people's voices are heard in FGCs and material so far suggests that on the whole they do not feel that they are heard. Their experiences mirror those of children and young people in child protection conferences. They often become confused or distressed and do not like adults disagreeing or becoming angry. A small research project looking at data from 15 FGC co-ordinators (Beecher et al, 2000) found that although children and young people appear to be involved in the conference planning they are less likely to fully participate in the process. Reasons

can include feeling inhibited in talking in front of the family and lacking the confidence to clearly stating their views. As in other adult dominated decision making forums, lack of understanding about what was happening, use of jargon and adults not listening were also given as reasons (Beecher et al, 2000). We would argue therefore that, taking into account the family and professional power dynamics within FGCs, independent advocacy should be available as of right to the children and young people involved. The following poem by a 14 year old young person perhaps most clearly sums up our argument:

MY ADVOCATE

**Before when I wanted to say something I'd never get it said
It would get bigger and bigger
and swim around my head
My advocate really helped me,
she got everything out I wanted said. Now I feel much better
and it's stopped killing my head.**

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