



**ORANGA  
TAMARIKI**  
Ministry for Children

New Zealand Government

Social Impact and Research

# Engaging victims in youth justice FGCs: a two-site analysis of what works

December 2024

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## Contents

Origins and purpose of FGCs in New Zealand .....	5
The main types of FGC .....	5
The types of FGC used within this project .....	6
How do FGCs operate? .....	6
<b>Understanding victim participation and attendance.....</b>	<b>7</b>
How are victims contacted about involvement in an FGC? .....	7
In what ways are victims involved in FGCs?.....	7
Forms of participation .....	7
The value of victim participation .....	7
FGC family-led decision making .....	8
Patterns of victim participation with FGCs in literature (1990-2019) .....	8
<b>Research project .....</b>	<b>11</b>
<b>Research aims .....</b>	<b>11</b>
<b>Research questions.....</b>	<b>11</b>
Research sites.....	13
Table 1: Overview of research sites, data collection and participant numbers..	13
Table 2: The amount of FGC Victims and type of FGC participation and attendance.....	14
Data collection and participants.....	14
Data analysis.....	15
<b>Analysis of victim participation in family group conferences .....</b>	<b>17</b>
Offence types at research sites .....	17
Table 3: Offence types recorded at Tauranga and Porirua sites.....	17
Victim motivations for FGC Involvement.....	17
Victim experiences of the FGC process .....	19
Victim's views on outcomes and process enhancement.....	20
<b>What can we learn from those who decline to participate in FGC?.....</b>	<b>22</b>
Overall, were there any differences between the sites in reasons for declining FGC?.....	22
<b>Exploring victim perspectives on FGC non-attendance.....</b>	<b>26</b>
Improving FGC engagement: Victims' views .....	28
<b>Exploring non-participation: a case study analysis .....</b>	<b>31</b>
<b>Stakeholder views on victim experiences in FGCs.....</b>	<b>32</b>
Perspectives on pre-conference factors in FGCs .....	32
Factors contributing to positive victim experiences during FGCs.....	34
Why did victims choose to attend YJ FGCs? .....	37

Barriers to engagement ..... 37

Victims had a desire for post-conference follow-up ..... 37

Why might victims decline FGCs? ..... 37

What did stakeholders find most important? ..... 38

Methodological evolution in measuring victim participation: implications for research design and policy development ..... 39

**Conclusion ..... 39**

Table 4: What is your understanding of the purpose of FGC? ..... 45

Table 5: What made the FGC difficult if at all ..... 46

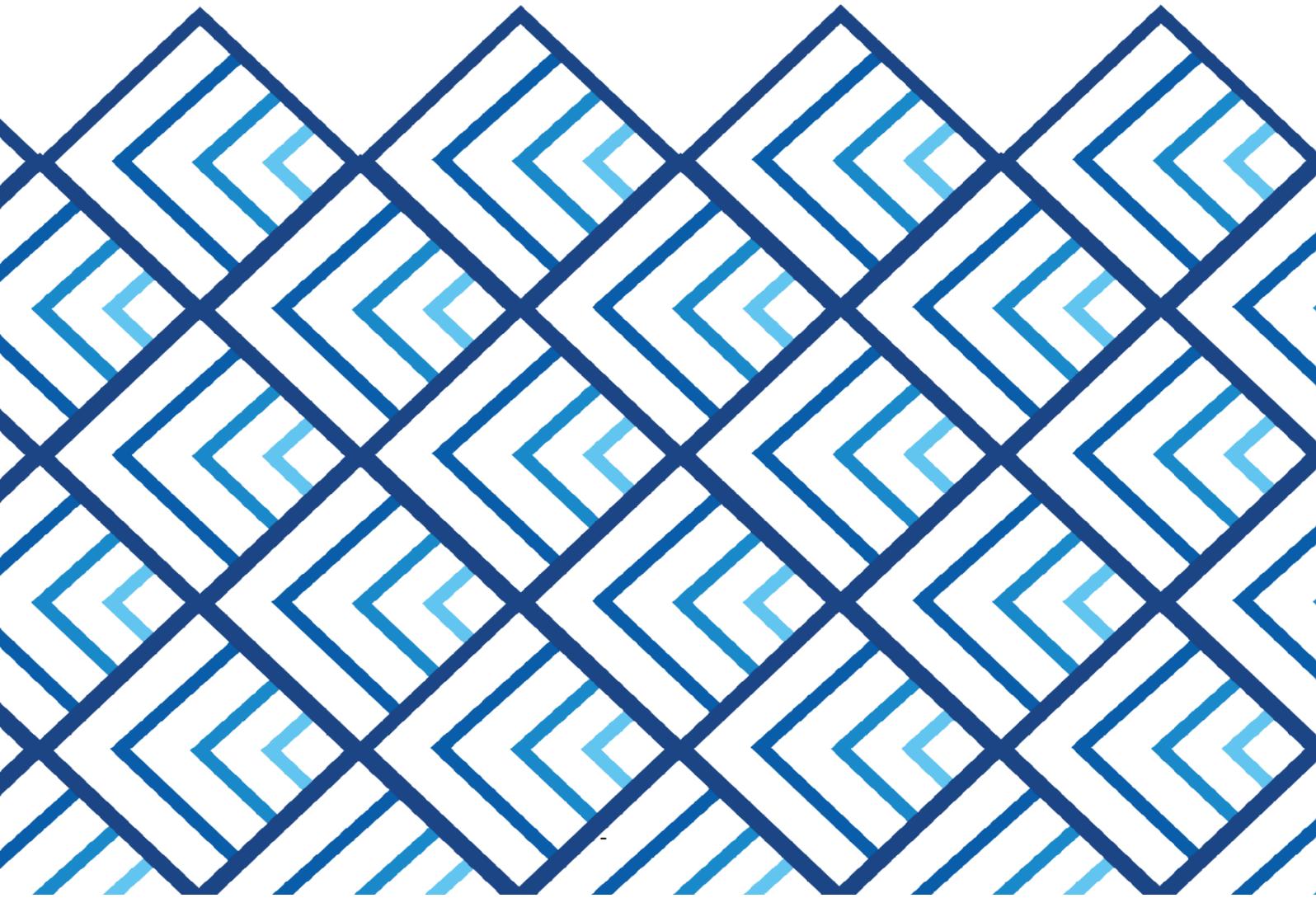
Table 6: What does a successful FGC look like to you? ..... 46

**Key abbreviations**

- Oranga Tamariki–Ministry for Children (Oranga Tamariki)
- Family Group Conference (FGC)
- Intention-to-charge Family Group Conference (ITC FGC)
- Youth Justice (YJ)
- Youth Justice Family Group Conference coordinator (YJ FGC coordinator)



# Background and Rationale



This project aimed to explore best practices and support in the engagement of those harmed (statutorily referred to as ‘victims’) invited to participate in a youth justice Family Group Conference (FGC) convened by Oranga Tamariki following incidents of youth offending. The study focused on victim involvement within the FGCs conducted at two sites. It sought to address existing gaps in knowledge and practice regarding the support available to victims within various organisations, communities, and service providers involved in the youth justice FGC process and the broader youth justice system.

It is important to note that this report does not analyse the various FGC processes or legislation; rather, it aims to explore why victims choose or decline to participate in FGC. It is interested in strategies to increase victim uptake of FGC (more victims participating), therefore the focus is on early engagement and decision to be involved.

### Origins and purpose of FGCs in New Zealand

The FGC is viewed as a foundational process within the New Zealand youth justice system. Its purpose is to support and enable informed, whānau- or family-led decision-making. This process also brings key people, including the victim, together to create a plan that supports the young person, addresses accountability, ensures public safety, and considers the interests of the victim.

Emerging in Aotearoa New Zealand in 1989, the FGC signified a different direction in policy, focusing on diversion and whānau- or family-led decision-making. The Oranga Tamariki Act 1989 supported diversion in several ways, including warnings, police diversion, and FGCs. The working hypothesis was that keeping youth offenders away from formal engagement with the legal system would reduce the likelihood of escalation through the justice system and lower the rate of re-offending. Additionally, FGCs allowed whānau and interested parties, including communities, to be directly involved when children and young people were in trouble. They also ensured that victims had a voice in how these matters should be managed.

### The main types of FGC

There are many types of FGCs in New Zealand. The list below contains some of the main types of FGC and provides an overview of youth justice FGC types and statutory maximum convening and holding times.

**Section 247(a): Child offender.** Convening time is 21 days and holding time is 1 month. This applies to children who offend (aged over 10 and under 14) and who, pursuant to s18(3), are believed to be in need of care and protection under s14(1)(e) due to the level of their offending.

**Section 247(b): Intention to charge (also referred to as a "Police Referral").** Convening time is 21 days and holding time is 1 month. This applies to young people who are alleged to have committed an offence and for whom the police believe a prosecution is required in the public interest. The FGC may still resolve the matters informally without recourse to the Youth Court.

**Section 247(c): Custody after denial.** Convening time is 7 days and holding time is 7 days. This is directed for young people who deny the offence and who are held in

custody under s238(1)(d) & (e). They are held to consider the continued custody or otherwise of the young person pending a defended hearing.

**Section 247(d): Direction by Court.** Convening time is 14 days and holding time is 7 days. These are directed for young people who do not deny offences in the Youth Court and who are not in custody under s238(1)(d) & (e).

**Section 247(d) (in custody): Direction by Court.** Convening time is 7 days and holding time is 7 days. These are directed for young people who do not deny offences or make no plea in the Youth Court and who are held in custody under s238(1)(d) & (e). These FGCs should only address the custody of the young person before being adjourned until a later date to address the offending, given the limited time in which to properly prepare for the FGC.

**Section 247(e): Proof of charge.** Convening time is 14 days and holding time is 1 month. These are directed for young people when an offence is proven against them in a defended hearing in the Youth Court.

**Section 281B: Convening time and holding time have no specific timeframe.** These can be directed by the Youth Court at any time if the Court considers that an FGC is necessary or desirable. The Court will direct the matters to be considered by the FGC.

### The types of FGC used within this project

This project is concerned with the following types of youth justice FGCs:

- **Intention to Charge FGCs** (s247(b))
- **Direction by Court FGCs** (s247(d))
- **Proof of Charge FGCs** (s247(e))
- **Child Offender FGCs** (s247(a))
- **FGCs Directed Under s281B**

The project does not address:

- **Custody After Denial FGCs** (s247(c))
- **Direction by Court to Deal with Custody** (s247(d) in custody)
- **Any Care and/or Protection FGCs**

### How do FGCs operate?

The Family Group Conferences (FGCs) involved in this study (s247(b), s247(d), s247(e)) operate based on best practices supported by a set of Family Group Conferencing Practice Standards. During the FGC, victims invited to be involved and, selected other entitled individuals also invited to be involved, collaborate to form

agreed recommendations and decisions, often referred to as an FGC plan. This plan outlines how matters will be addressed and specifies any necessary support. If the FGC cannot reach an agreement, the issues are referred back to the Police or Youth Court, as appropriate.

## Understanding victim participation and attendance

### How are victims contacted about participation in an FGC?

Victims are generally contacted about their participation in Family Group Conferences (FGCs) through an initial auto-generated letter from Oranga Tamariki. Following this, they are reached out to by a youth justice FGC Coordinator, who may contact them by phone, email, and/or in person.

### In what ways are victims involved in FGCs?

Victims are entitled to attend a Youth Justice FGC, participate in the discussions and have a say in the decisions, recommendations and plans. There are several ways victims can participate and engage in the FGC process:

### Forms of participation

Some forms of participation may include:

- **in-person attendance:** The victim was physically present at the FGC sessions. This includes their entitlement to participate in the FGC plan if it is created during the session they are attending.
- **remote attendance:** The victim participated via online video call or phone
- **written submissions:** The victim provided statements or impact descriptions through a representative: The victim participated via a representative will have their views presented but will not have input into the decision-making /agreement plan.
- **combined participation:** A combination of multiple participation forms

### Overall status

- **total participated:** This is the combined number of victims who engaged through any form of participation
- **did not participate:** Number of victims who did not participate in any form
- **attendance rate:** Percentage of victims physically present at FGC sessions

### The value of victim participation

Research suggests that victim participation in Family Group Conferences (FGCs) can create value for all participants while supporting effective outcomes (Braithwaite & Mugford, 1994; McElrea, 1993). Studies indicate positive experiences amongst participating victims, with 90% reporting being treated with respect, 88% understanding the proceedings, and 83% having the opportunity to explain the offence's impact (Maxwell et al., 2004).

The process may be empowering for victims who have felt powerless after experiencing crime. Face-to-face meetings can enable victims to better understand the circumstances and influence outcomes (Maxwell & Morris, 1993; Morris & Maxwell, 2006). Many victims report emotional benefits, with 81% feeling better after participating (Maxwell et al., 2004). As one victim noted: "I got the ill feelings out of

my system" while another emphasised "To know what is happening is to be involved" (Maxwell & Morris, 1993).

For young offenders, victim participation can help personalise the impact of their actions and support accountability (Slater et al., 2015; O'Driscoll, 2008; Schmid, 2002). Youth Justice co-ordinators consider direct victim-offender encounters important for helping young people understand the consequences of their behaviour (Schmid, 2001). Some research indicates victim presence may correlate with lower reconviction risks (Maxwell & Morris, 1999; Spier & Gill, 2021).

Studies have linked victim participation to positive restorative outcomes (Maxwell et al., 2004; Maxwell & Morris, 1993; Renouf et al., 1990; Schmid, 2001). Victims often participate to share their experiences and contribute to the offender's rehabilitation (Morris & Maxwell, 1997). The process can allow victims to gain insights into why the crime occurred while strengthening community connections through shared responsibility for solutions. However, victim participation rates remain relatively low. This suggests the importance of better understanding and addressing barriers to victim participation to support the potential of FGCs (Levine, 2000).

### **FGC family-led decision making**

These initiatives are invitational, never mandated; participation is always voluntary. The opportunity for conferencing empowers victims by providing them with choice and control over how their matters are resolved—this choice enhances their sense of procedural justice.

Not all victims wish to participate in FGCs; for many, this may not be something they need or wish to do. The current participation rates in FGC align with global trends in youth justice conferencing programs. However, exploring the reasons for non-participation and understanding how victims experience FGCs will provide Oranga Tamariki with valuable insights into these choices. Given that FGCs can be powerful for both victims and young people in contact with the youth justice system, improving victim participation and experiences of FGCs is worthwhile.

### **Patterns of victim participation with FGCs in literature (1990-2019)**

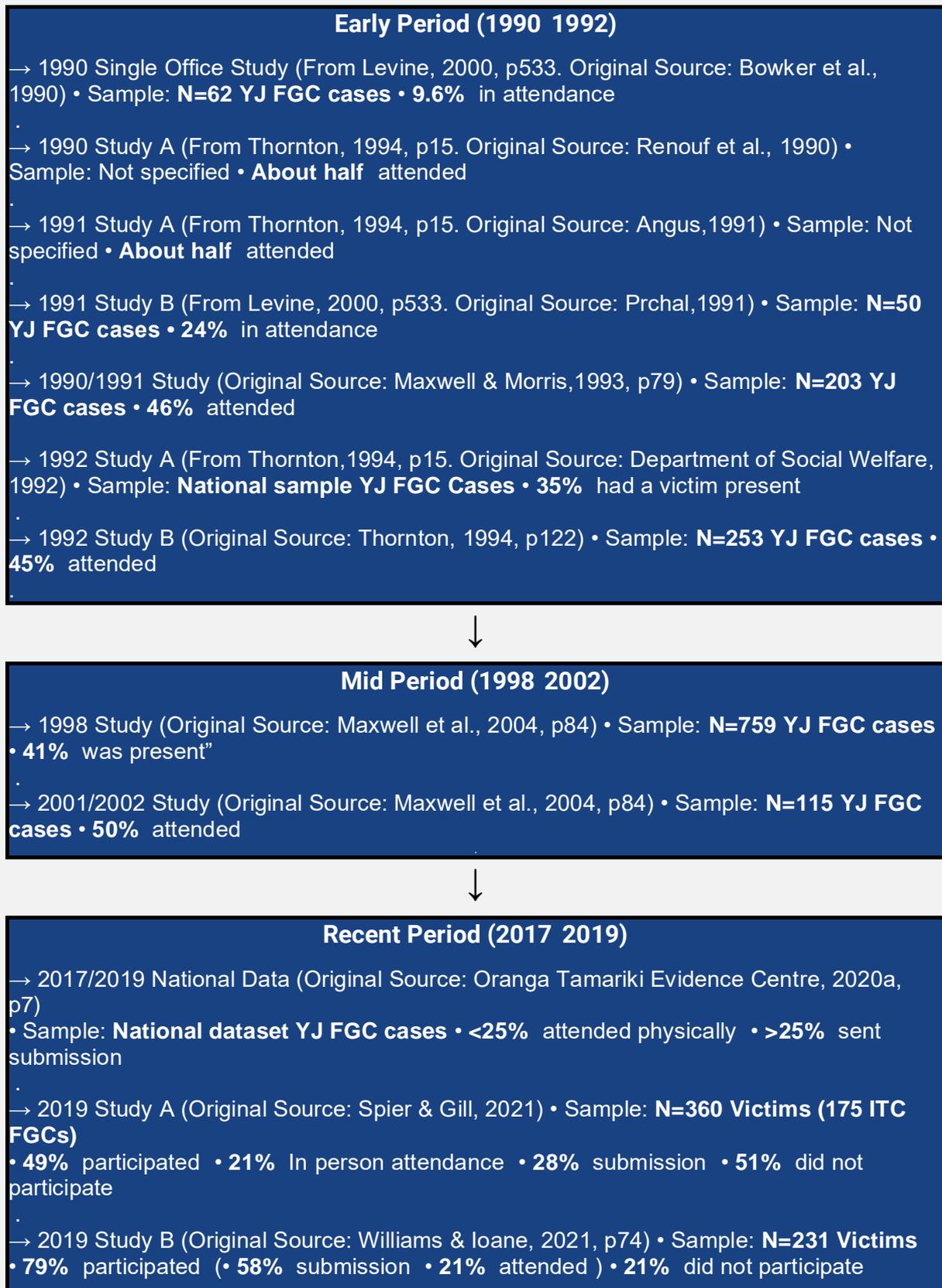
Three decades of research examining Family Group Conferences (FGCs) in Aotearoa New Zealand demonstrate an evolution in participation recording methods and engagement approaches. Analysis from 1990 to 2019 reveals changes in documentation practices and participation pathways.

Initial FGC research from 1990-1992 focused on physical presence referred to as "attendance" as the sole participation indicator. Studies in this period recorded attendance through a single category, which limited the understanding of participation methods (Maxwell & Morris, 1993). Research produced varying results: a 1990 single-office study of 62 FGC cases recorded 9.6% victim attendance (Bowker et al., 1990), while 1991 studies documented rates between 24% and 46% (Prchal, 1991; Maxwell & Morris, 1993). The first national sample in 1992 established a 35% victim attendance rate (Department of Social Welfare, 1992). These studies' omission of remote attendance and written submissions skews the data. Including these participation methods would likely transform "low attendance rates" into "high participation rates", fundamentally shifting the discussion around FGC effectiveness.

During the period of 1998-2002 the research methodology expanded to include larger sample sizes. Analysis of 759 FGC cases in 1998 documented 41% victim attendance (Maxwell et al., 2004). This rate increased to 50% in a 2001/2002 study of 115 cases (Maxwell et al., 2004). Documentation remained centred on physical attendance.

Research data from the latest research period (2017-2019) indicates a shift toward multiple participation categories. In one study physical attendance rates were 25%, with written submissions emerging as an additional participation method >25% which then conveys that total victim participation rates were over 50% (Oranga Tamariki Evidence Centre, 2020a). Two studies in 2019 also documented this change: analysis of 360 victims across 175 intention-to-charge FGCs recorded 21% physical attendance plus 28% submission rates, and they were the first study to represent the measure of participation 49% (Spier & Gill, 2021). In another study an examination of 231 victims showed 21% physical attendance and 58% submission rates, and a 79% rate of participation (Williams & loane, 2021).

The evolving metrics of victim participation have transformed our understanding of FGC effectiveness, leading to more nuanced and meaningful discussions.



**Figure 1: Victim attendance, presence and participation at FGC from 1990-2019**

## Research project

Building on the understanding of victim participation in FGCs, this research explores both the engagement of victims and the current operations of FGC in practices supporting victim attendance. The research examines the support systems available for victims, including the stakeholders involved, their current practices, strengths, and challenges, while also investigating victims' perspectives and experiences of the FGC process.

By identifying ways in which these systems can work together more effectively and understanding victims' experiences, the project seeks to contribute to the current understanding and practices of FGCs and has the potential to improve support for victims who engage with or decline to participate in an FGC.

This research focuses on two selected sites, Porirua and Tauranga, to identify common practices, good practices, and barriers related to early engagement with victims, as well as to gather insights into victims' experiences within the FGC process.

## Research aims

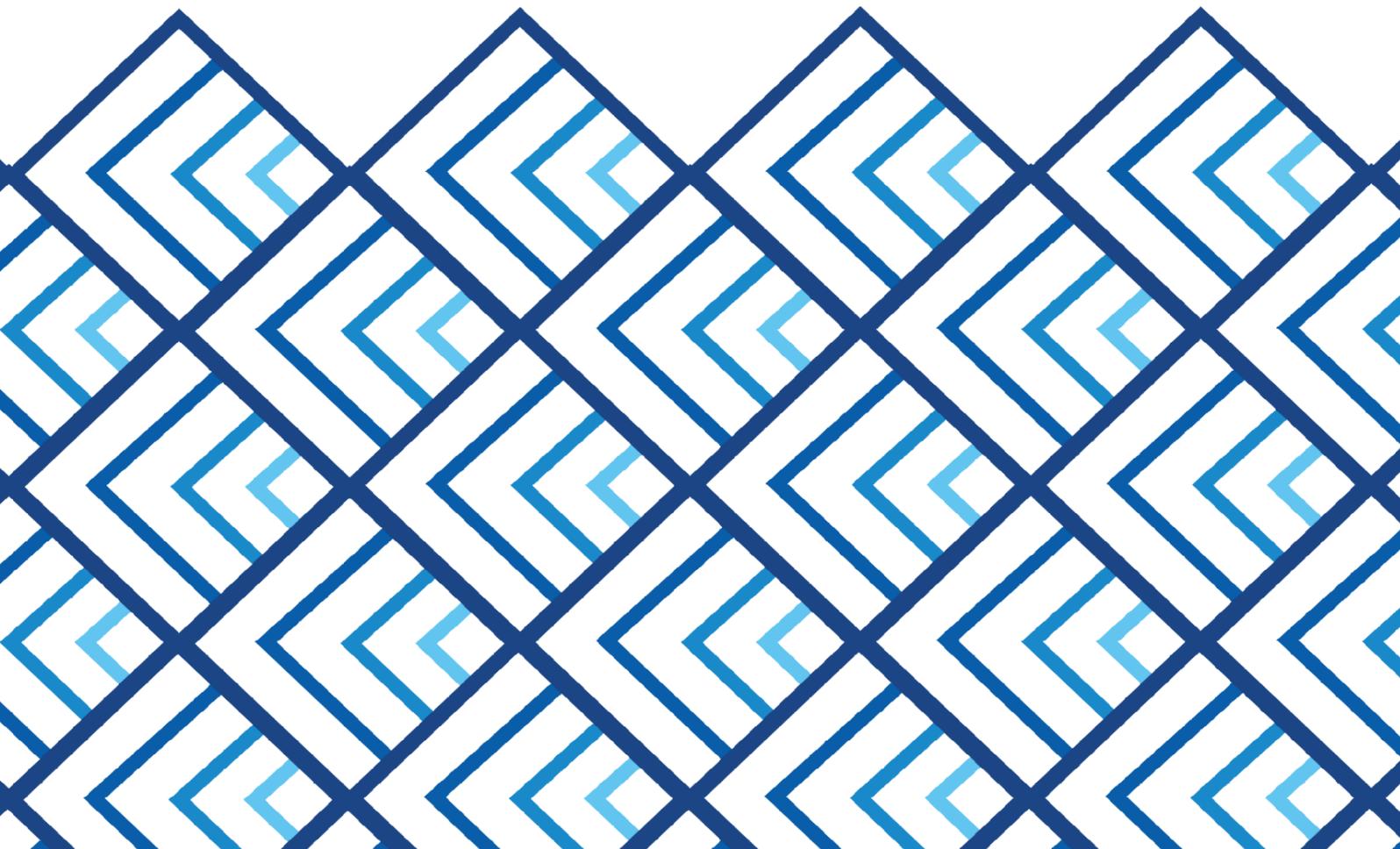
Given the importance of victim participation and the current challenges identified, this study sought to develop a comprehensive understanding of both victims' experiences and system operations. Central to this research is the recognition that early engagement and support for victims are critical in enhancing their participation in Family Group Conferences (FGCs). By focusing on these elements, the study aims to identify effective strategies for improving outcomes for victims within the youth justice system. By examining two key sites, Porirua and Tauranga, the research aimed to:

- improve understanding of the barriers to engagement that victims of youth crime might face
- identify practice models and opportunities for early engagement with victims
- recommend options to improve engagement, participation and experiences of victims associated with youth justice FGCs
- contribute to a broader understanding of the complexities of improving the effectiveness of the FGC process by providing valuable data

## Research questions

1. what are the current practices and policies regarding engagement and support for victims participating in youth justice FGC processes in New Zealand?
2. what are the perceived strengths and weaknesses of current practices in addressing the needs of victims?
3. would engaging victims of youth offending earlier, or differently, increase the likelihood of their participation at FGCs?

# Methodology



The research employed a mixed method approach across two North Island sites: Tauranga and Porirua. This included surveys of victims who declined FGC participation, interviews with victims who attended FGCs, and interviews with key FGC stakeholders. One victim who declined participation in FGC also provided an in-depth interview. These locations were identified by Oranga Tamariki as the preferred sites for this research. One site had developed a specialised practice approach to support victims of harmful sexual behaviour through FGCs. While this practice approach was initially of particular interest to our research team, we were unable to secure interviews with victims who had experienced this process.

A representative from Oranga Tamariki was nominated to assist with coordination, communication and recruitment between the researchers and stakeholders to ensure effective participation. Data collection across the two sites was undertaken from August 2023 to February 2024. The findings presented in this report reflect the data collected from participants and sources across both sites.

### Research sites

Building on the methodology, each site offered distinct characteristics and approaches to FGC practices. Tauranga, situated in the Bay of Plenty region, demonstrated innovative practices in early engagement with Police and victims. Porirua, located north of Wellington, is known for its culturally rich FGC practices and diverse population. The site's unique leadership style and methods of working with youth and families provided an important counterpoint to Tauranga's approach. The unique characteristics of these locations allowed for a more nuanced understanding of current practices across different community contexts, potentially highlighting areas for consideration in New Zealand's youth justice system.

**Table 1: Overview of research sites, data collection and sample**

Participants	Methods	Sample size
Victims who chose to participate in FGCs	Interview Face to face or zoom	16 (Tauranga – 7, Porirua – 9)
Victims who declined participation in FGCs	Online survey Interview (on zoom)	30 (17 -Tauranga, 13- Porirua) 1 Interview
Key stakeholders	Interview Face to face or zoom	12 (9 – Tauranga 3 – Porirua)
		29 interviews 30 surveys

We also present Table 2 which shows the type of participation by victims at both research sites:

**Table 2: FGC Victims and type of FGC participation**

Site	Sample size	Method	Type of FGC, Attendance, Participation, Engagement
Tauranga	7	Interviews	All attended in person
Porirua	9	Interviews	<ul style="list-style-type: none"> <li>• 5 attended in person</li> <li>• 3 minors attended in person accompanied by a parent</li> <li>• 1 adult attended multiple FGCs (mixture of in person attendance and remote participation)</li> </ul>

### Data collection and participants

This study aimed to explore the experiences of victims and key stakeholders involved in the FGC process within the New Zealand youth justice system through semi-structured interviews and online surveys. Interviews were conducted either face-to-face or via online video recording based on participant preference, with digital recording and additional notetaking. Participants received interview guides beforehand, had the option for a support person, and could discuss topics beyond the guide structure. For those who preferred not to be interviewed, particularly victims who had declined FGC participation, an online survey was available with multiple-choice and short-answer questions.

The study included participants from two research sites, comprising three main groups:

- victims who were invited to participate in FGCs
- victims who declined to participate in an FGC
- professionals supporting FGC delivery

The key stakeholder participants included:

- Oranga Tamariki Youth Justice Social Workers
- school representatives who participate when their students are involved in FGCs
- Oranga Tamariki Youth Justice Coordinators and Team Leaders
- New Zealand Police (Youth Aid Officers)
- senior staff from Oranga Tamariki and Youth Justice

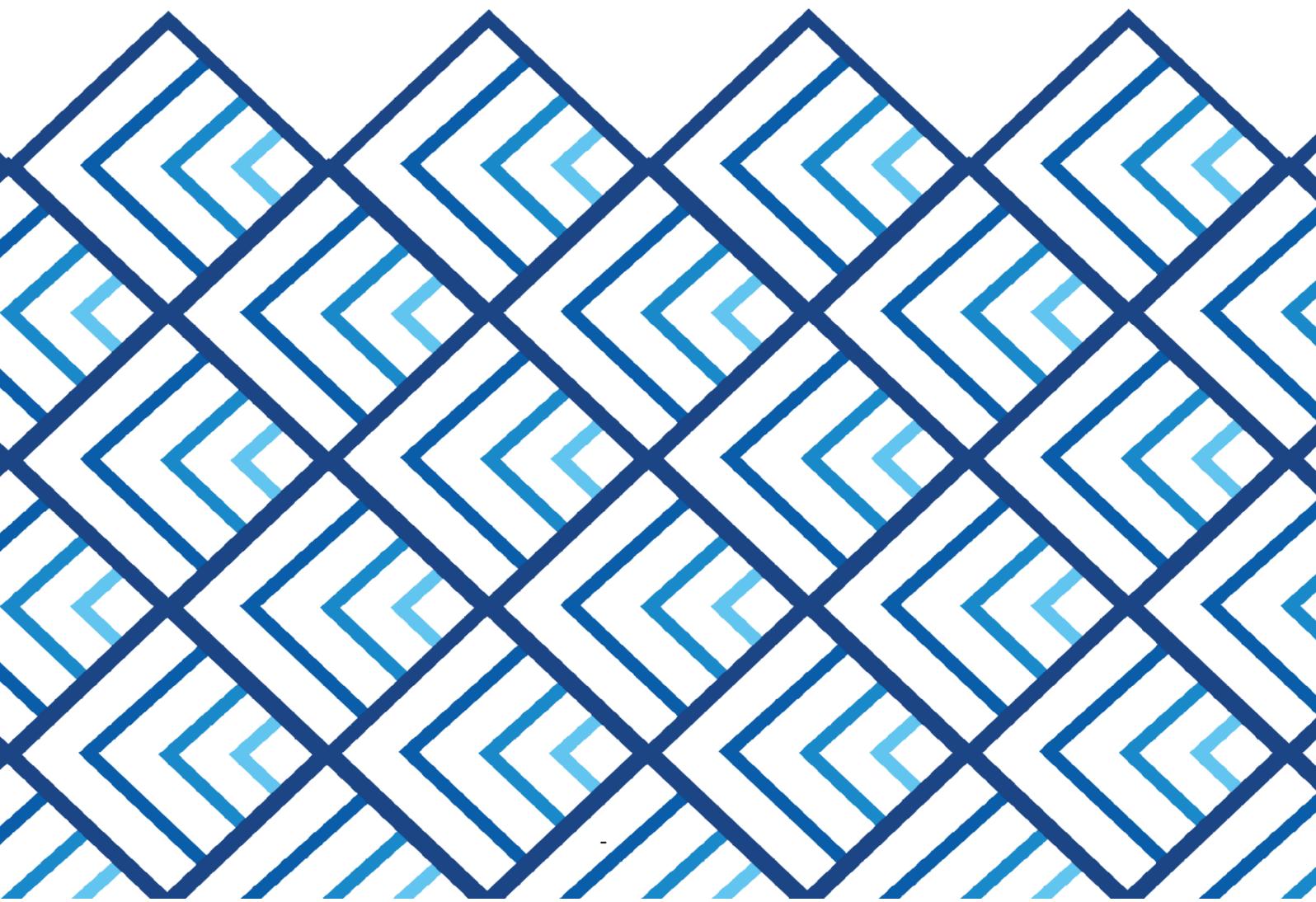
The recruitment process occurred in two phases. Oranga Tamariki contacted potential participants, explained why they were calling and asked for permission to refer them to the researchers. Once referred, participants received detailed information about the study to make an informed decision regarding their participation.

## Data analysis

Data were analysed using both qualitative and quantitative methods. Qualitative data collected through semi-structured interviews were analysed using a thematic approach. The analysis involved identifying and coding meaningful sections of data, grouping related codes into themes, and refining these themes to ensure accurate representation of participants' experiences and perspectives. The analysis process was iterative, with researchers revisiting the data as needed to ensure accuracy and comprehensiveness.

Quantitative data from the online survey (n=30) were analysed using descriptive statistics. Survey responses were collated and summarised using frequency distributions and percentages to identify patterns and trends in participants' responses. Key findings were visualised through charts and graphs to illustrate response patterns across survey questions. The quantitative analysis complemented the qualitative findings by providing broader contextual data about participants' experiences and perspectives.

# Findings



## Analysis of victim participation in family group conferences

Through interviews with 16 victims (7 from Tauranga and 9 from Porirua), researchers identified patterns in why victims chose to participate in FGCs, their experiences during the process, and their suggestions for improvement.

### Offence types at research sites

The data shows vehicle theft was the most common offence type at both sites, with Porirua handling a broader range of cases. While this provides insight into the types of offences addressed through FGCs at these locations, it may not represent the full spectrum of cases managed across New Zealand. The high number of vehicle theft cases should be considered when interpreting the findings.

**Table 3: Offence types recorded at Tauranga and Porirua sites**

Offence type	Tauranga Site	Porirua Site	Total
Vehicle Theft	4	5	9
Common Assault		1	1
Personal Robbery		1	1
Property Crimes	2		2
Domestic Violence		1	1
Reckless Driving	1	1	2
<b>Total</b>	<b>7</b>	<b>9</b>	<b>16</b>

### Victim motivations for FGC participation

The following section outlines the most common motivations for victim participation across various offence types from the interviews with victims. These motivations range from hoping to reduce reoffending and seeking accountability, to curiosity about the offender and a desire for face-to-face interaction. Some victims viewed the process as primarily benefiting the offender, while others were motivated by a sense of civic duty to contribute to offender rehabilitation. The diversity of motivations highlights the complex nature of victim engagement in FGC processes.

#### Accountability and behavioural change

Some victims participated hoping to reduce reoffending while seeking accountability. As one victim explained:

"I knew I was going into a safe place... And hoping that it would be like the last straw, like (it) would be, oh, I really hurt this person, or

I didn't realise how much it affected them, so it won't happen again."

Another victim wanted more structure in the accountability process:

"at the end of it we would come up with a plan to, that holds [name removed] my son accountable for the damage that he had caused."

These selected findings represent a broader consensus that victims benefit from clear pathways to contribute to accountability plans. Striking a balance between holding young people accountable and fostering their development is essential. Providing documentation that explains how victim input influences conference outcomes could further enhance victim participation and deepen their engagement.

### **Understanding through direct contact**

Victims expressed an interest in understanding the circumstances of the offence. One victim described their experience in the following way:

"Well we wanted to see who it was, we wanted to understand what had happened, because we did not know what happened, we did not understand what was happening with her."

The conference setting facilitated this understanding:

"So I had a lot of curiosity going on here. And I was surprised because everyone was actually really polite. They all had obviously different roles going on and they played those roles really well."

Examples like these highlight how FGCs can provide a space for victims to safely gain further information concerning the young offender and events. To support this aspect that motivates victims to engage deeper, coordinators could offer various options for victim participation as part of preparation for face-to-face meetings. Creating safe spaces for victims appears to be part of creating further meaningful victim engagement.

### **Expectations and process understanding**

Participation was influenced by an understanding that the process primarily centred on the young person's needs. This awareness shaped victim expectations and approach to participation:

"We had low expectations really. We kind of knew it was gonna be about them. It wasn't going to be about us because, it's about them. We knew it was going to be about the young person."

Victims who understood the process was primarily focused on the young offender appeared to approach their engagement with more realistic expectations. While this offender-focused perspective should be communicated clearly, conference coordinators should also emphasise how victim participation leads to better

outcomes. A balanced approach, explaining both the goals of supporting young offenders and addressing victims' needs, could improve victim engagement and satisfaction.

### **Contribution toward development of youth offenders**

Participation was seen by several victims as a chance to help guide young offenders. One victim shared:

"They are young. Yes, you are really angry, but then you cool down and when you're there it's different. I wanted to help them understand where their choices were going to lead them. If they made different choices they could get on a different pathway and become something better."

This kind of altruistic motivation might be encouraged through clear information about how victim participation influences young people's desistance from crime. Providing examples of positive outcomes from previous conferences might encourage more victims to participate.

### **Victim experiences of the FGC process**

Understanding how victims experience Family Group Conferences is very important for addressing its effectiveness. Analysis of victim interviews reveals patterns in post-conference experiences and process effectiveness. The data indicates victims' views on specific operational barriers and opportunities for system enhancement.

### **Information gaps and need for self-advocacy in the process**

Some victims reported having to advocate strongly to have their case taken seriously:

"We didn't realise that if I hadn't jumped up and down and thrown my toys out of the cot, that her case could have been quite easily brushed under the carpet." Others needed to actively seek information: "I think I had to chase them a few times to say, hang on, what do I need to prepare, basically?"

A proactive approach to victim communication, with regular updates and clear information packages explaining the FGC process could be beneficial. Establishing dedicated victim support contacts for each case could reduce the need for victims to self-advocate.

### **Timeliness of information and preparation needs**

Adequate preparation emerged as a concern for those participating in the conference. One victim noted:

"I think having all the material ahead of time would help the victim, because I think the reason I chased the guys was basically I said, what are we going to be doing this for?"

Another shared:

"I think briefing would've helped a lot. Being aware of how many of their family were coming, that he might not admit to it and that meant we were shuttled out of the room straight away."

Developing comprehensive briefing materials and reviewing the way pre-conference meetings are currently undertaken might better prepare victims. Information about attendee numbers, roles, and possible scenarios would help victims feel more confident about participating.

### Support during conferences

The experiences of victims regarding support before and during their participation in the Family Group Conference (FGC) varied. Some had positive experiences:

"The person that called me was very friendly. It didn't feel like a legal process. It felt like someone could call to have a chat."

Others felt unsupported:

"Unless you are bringing a support person, when you think about it, there isn't actually anyone around the table who represents you."

Establishing dedicated victim advocacy roles to support individuals from the invitation process through to their participation in conferences could help address this imbalance. Guidelines for support person numbers and clear communication about bringing support people would help victims feel more supported.

### Conference environment

The physical setup and number of participants affected victims' experiences. While some valued the opportunity for direct communication:

"The fact that we were able to be open with how we felt as victims... There was no problem with what we wanted to say."

others felt overwhelmed:

"I completely felt outnumbered. They were standing along the walls. There wasn't enough seats in the room."

Consideration could be given to developing guidelines around balancing participant numbers and ensuring appropriate room size and layout to enhance victim comfort. This might include exploring seating arrangements that promote equality between all participants.

### Victim's views on outcomes and process enhancement

The success of Family Group Conferences can be meaningfully assessed through victims' reflections on both the immediate outcomes and longer-term impact of the process. Analysis of victim interviews revealed perspectives on FGC outcomes and identified potential areas for enhancement. These quotes indicate varying experiences with post-conference communication, timing, and process structure.

## Post-conference communication and follow-up systems

Many victims expressed that receiving updates about the young person's progress after the conference would be valuable:

"I think one good thing would be for there to be... some sort of follow up on the young person, some manner of some follow up where we can find out, well, what happened to that young guy afterwards? Did he improve?"

Another noted:

"But it seems to me when you leave there, that's the end of it. And it shouldn't be those kids, then someone's got to go back. Maybe they followed it up. I don't know that either."

Establishing regular post-conference updates could address this gap. In the previous section on 'Timeliness of information and preparation needs', it is suggested that comprehensive briefing materials be developed and that the process for pre-conference meetings be reviewed. Similarly, post-conference updates could benefit from a structured follow-up process with clear guidelines on what information can be shared. This approach could help victims feel that their participation contributed to meaningful change.

## Balance between offender and victim needs

Some victims felt the process focused too heavily on offenders:

"I constantly feel like because the perpetrators were children, it was all about them... every time I spoke to a police officer or anything, it was like, this is what we are doing to support the boys."

This imbalance affected how victims experienced their role in the process. While maintaining the focus on young people's rehabilitation, coordinators could attempt to better acknowledge, and address victim needs throughout the process. These considerations could be part of the review of documentations and process that is suggested in sections, 'Timeliness of information and preparation needs' and 'post-conference communication and follow-up systems'.

## Timing and delays

The time between the offence and conference emerged as an issue:

"I felt like it was just dragged out for so long. The family group conference that I was invited to was not until, I dunno, almost a year afterwards."

Reducing delays between offences and conferences is something to consider. When delays are unavoidable, regular communication with victims about timeframes and progress could help maintain their engagement and willingness to participate.

## Cultural considerations

Victims had mixed responses to cultural practices in conferences:

"For whānau walking into an FGC and bringing in, I guess its tikanga, bringing in the Māori way for me is okay, because I get it. But some pakeha family, might think that's not our way."

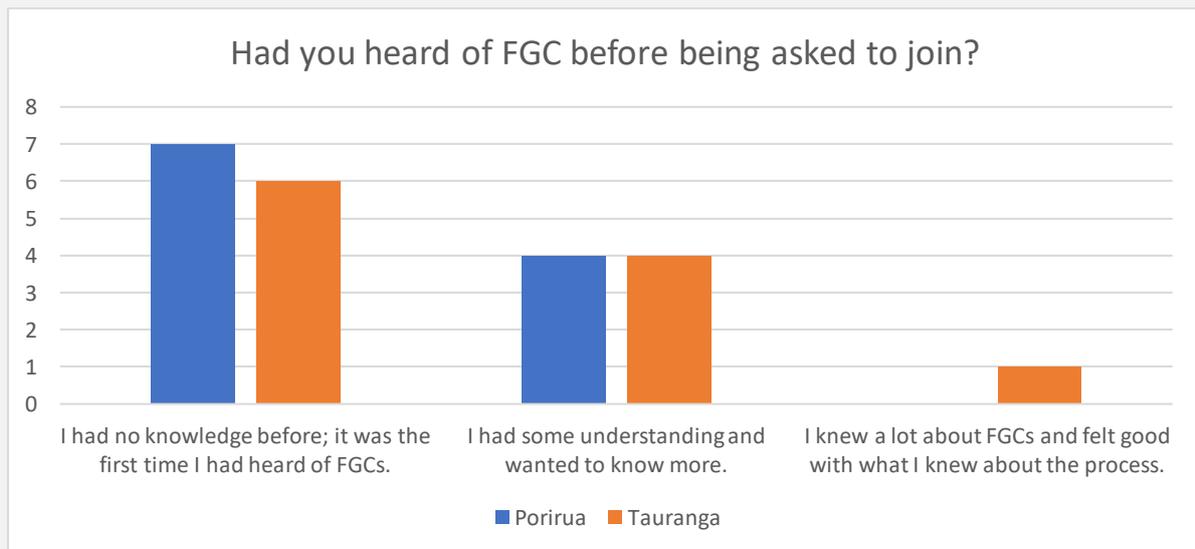
Better preparation around cultural elements of conferences could help all participants feel more comfortable. This might include explaining tikanga practices beforehand and ensuring cultural protocols are implemented in ways that promote inclusion rather than division.

## What can we learn from those who decline to participate in FGC?

In this section the quantitative findings are presented from the 30 online surveys (17 in Tauranga, 13 in Porirua) and one in-depth interview with non-participating (declined) victims in youth justice FGCs. Through the survey, victims were asked about their pre-existing knowledge of FGCs, their understanding of the purpose of FGCs and their reasons for declining participation. They were also asked to articulate what might have made a difference in their decision-making around whether to attend.

### Overall, were there any differences between the sites in reasons for declining FGC?

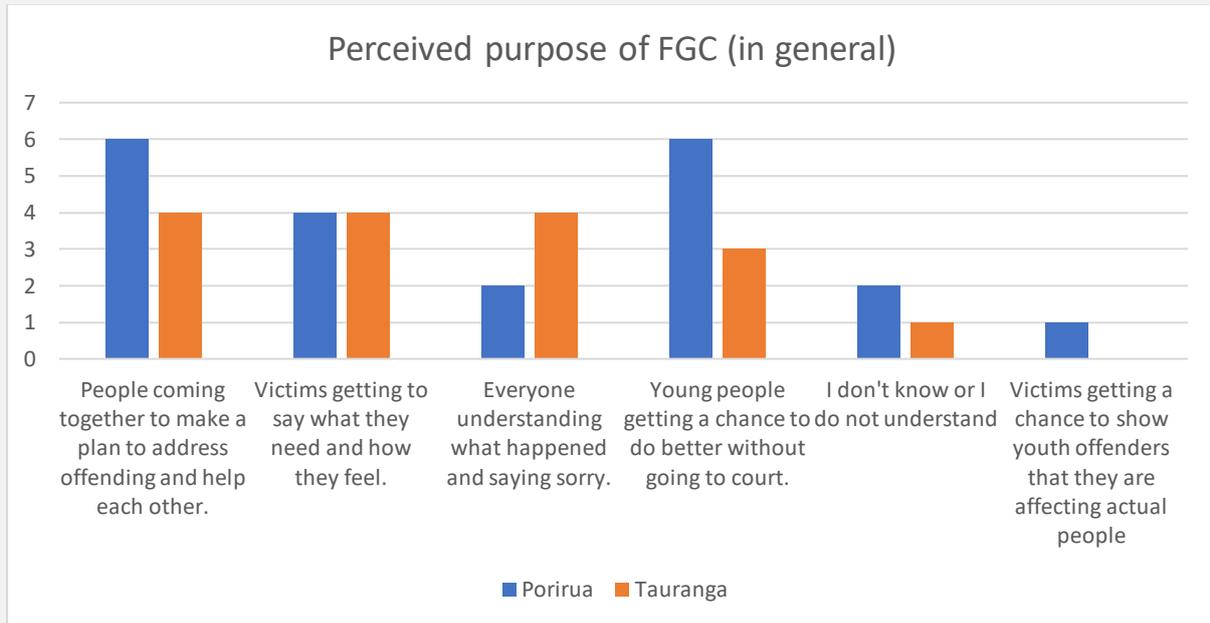
The sample size was too small to complete a meaningful statistical analysis however there appears to be few, if any, differences in the two sites in terms of their knowledge and understanding (see Figures 2-4) and reasons for declining (see Figures 5-9).



**Figure 2: The victims' prior understanding of FGC**

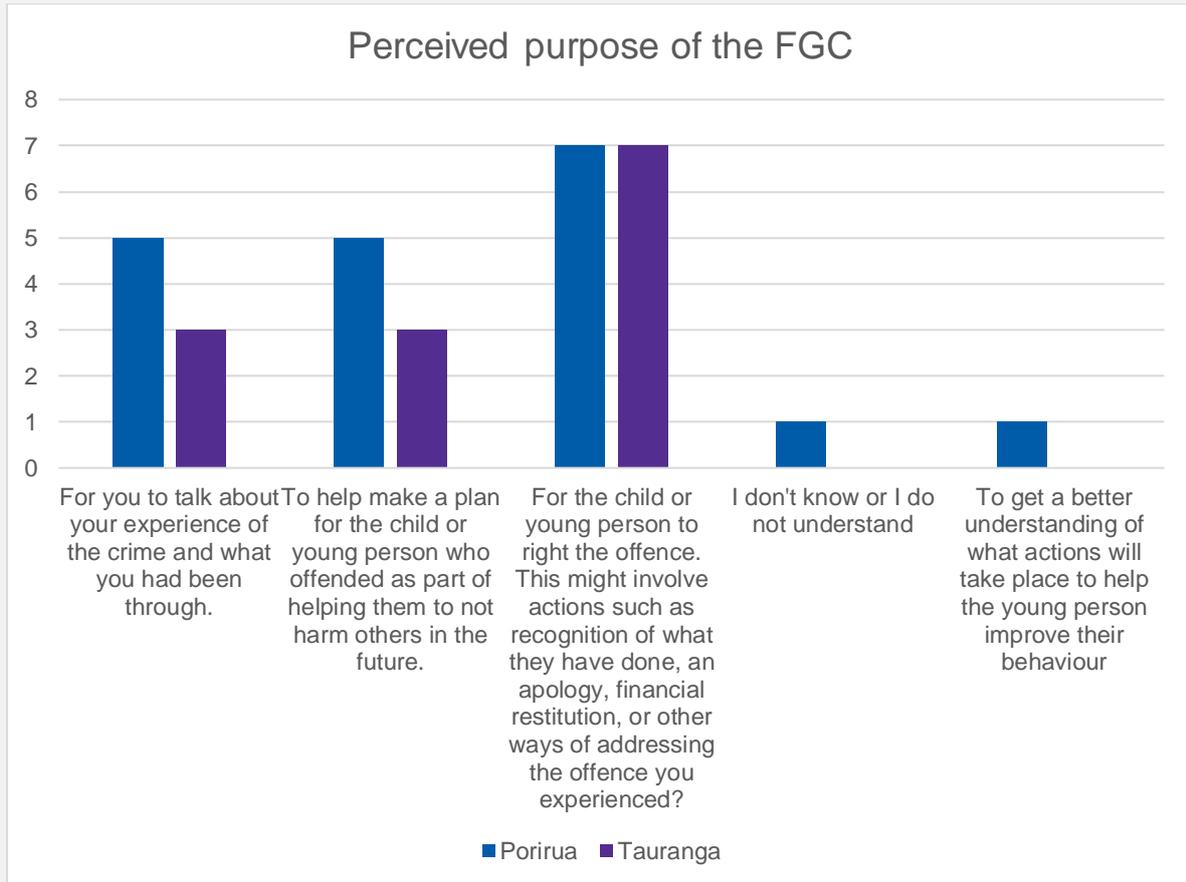
The data suggests that prior to the FGC, across both sites, most victims had no prior knowledge of FGC before being invited to participate. A smaller number had some

understanding and felt more information would have been useful. Only one participant, from Tauranga, had a lot of pre-existing knowledge of FGC.



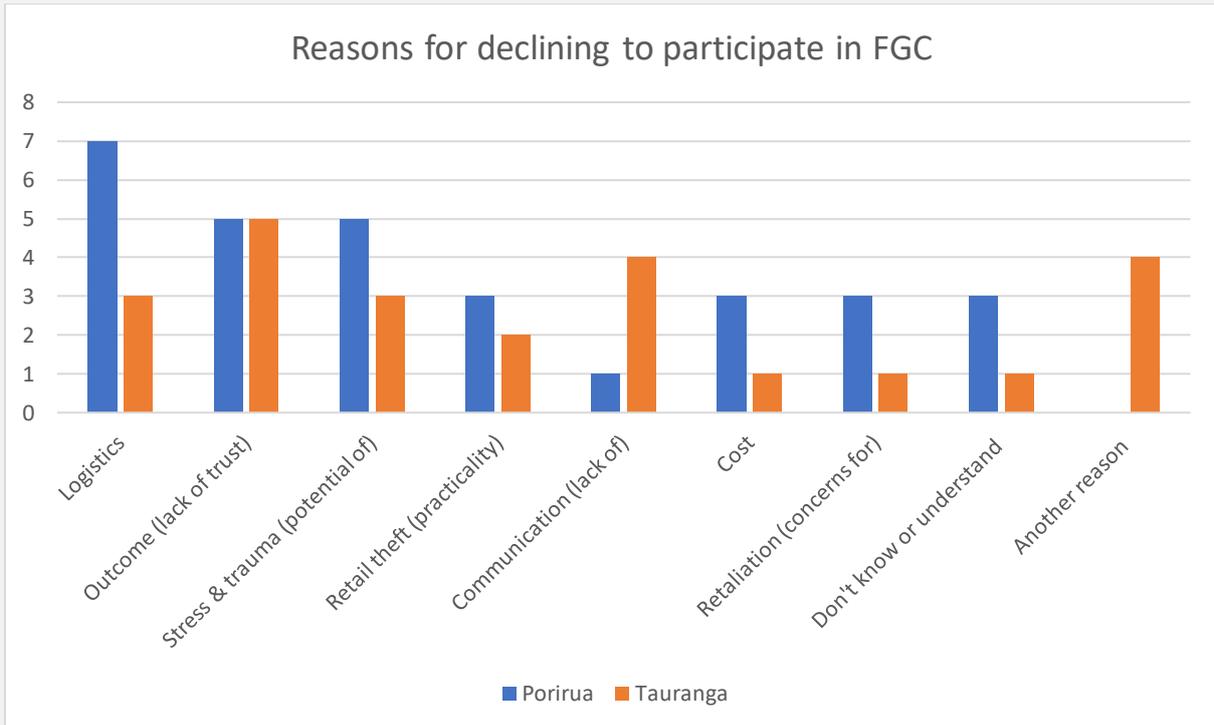
**Figure 3: Perceived purpose of the FGC in general (prior to FGC)**

The perceived purpose of FGCs varied across both sites. Porirua respondents mostly viewed FGCs as an alternative to court proceedings and something they would be involved in alongside the youth offender. Tauranga participants however valued apology, and victim expression. Interestingly, despite the variation in general perceptions, when considering their own cases, most respondents understood the primary purpose as supporting the youth offender pathway forward.



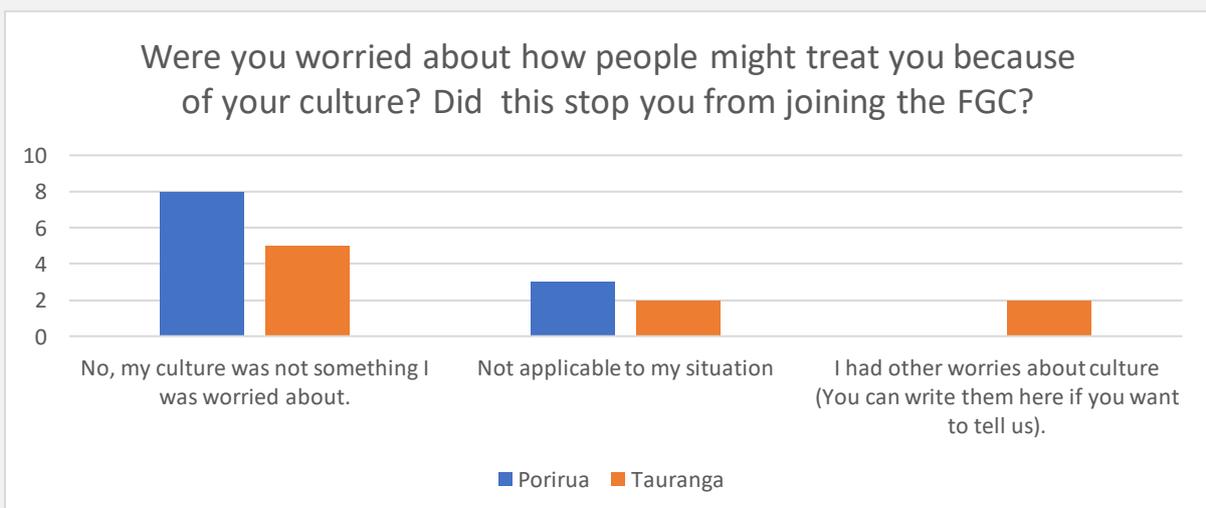
**Figure 4: Perceived purpose of the FGC in their case (measured prior to FGC)**

Across both sites, the value of FGCs in enabling young people to take responsibility was understood including through apologies, restitution, or other means. Other purposes included providing a space for victims to share their experiences and the option to contribute toward the FGC plan for the young person's future, with Porirua showing slightly higher responses in these categories (5 responses each) compared to Tauranga (3 responses each). Though the sample size was small, the findings suggest that victims see FGCs as serving multiple purposes and see the value in engaging in FGC to support young offenders in their rehabilitation.



**Figure 5: Reasons for declining participation in FGC**

Reasons for declining participation varied, with the most common reason being the logistics of attendance. When, where and what time an FGC happens matters to victims who have to manage the additional time and resources to attend. It was also common to be unsure that their participation would ‘make a difference’ in terms of impacting on the young person’s life and some held concern for the stressful nature of an FGC experience. Other reasons included the volume of FGCs following retail theft which left victims feeling that attendance was neither practical or necessary. For others, there was concern about backlash or retaliation in situations where people were known to each other.



**Figure 6: Perceptions of cultural awareness for victims that chose non-participation in FGC**

Cultural concerns were not a factor in decisions about FGC participation. Participants (8 in Porirua and 5 in Tauranga) voice that culture was not a significant

concern. A smaller number of participants (3 in Porirua and 2 in Tauranga) indicated that cultural considerations were not applicable to their situation. Only Tauranga had respondents (2) indicating cultural concerns. This suggests that while cultural awareness is important in FGC processes and something to be considered, for the majority of the participants it was not a barrier to participation.

With cultural factors not emerging as a major barrier, what then were the key factors influencing participation decisions? Analysis of open-ended survey responses identified several distinct themes that shaped victims' decisions about FGC attendance.

## Exploring victim perspectives on FGC non-attendance

### Administrative and communication barriers

Several participants cited issues with timing and communication that prevented their participation. One participant explained,

"I was planning to attend the FGC... however I was not contacted in the time. Information was sent in the mail to an address I no longer resided at and no other form of communication was received."

Such experiences suggest an opportunity to enhance communication channels and timely outreach to ensure victim participation. Moving forward, considering additional contact methods and verification processes might help strengthen engagement opportunities for victims who wish to participate.

### Questioning FGC relevance

Some participants questioned whether their participation would be meaningful, particularly in cases they viewed as minor. As one participant noted,

"The offence in my case was fairly minor, so I didn't think my presence was important to the overall proceedings or outcome."

Another reflected on personal circumstances affecting their perspective:

"Due to this frame of mind, I didn't care that my car was stolen... I didn't feel like this would have been much value."

Understanding how victims perceive their role in the process may help enhance engagement strategies. Clear communication about the value of participation could offer victims greater insight into their potential contribution to the process.

### Focus on practical resolution

Some victims prioritised practical outcomes over restorative processes. As expressed by one participant,

"I was more concerned about just getting the money I was owed than having a meeting with the young person to hear him apologise."

The emphasis on restitution highlights opportunities to better integrate practical outcomes. Finding ways to balance both material and restorative elements might enhance the appeal of participation for victims focused on practical resolution.

### **Work and time constraints**

Time commitment emerged as a barrier, particularly regarding employment obligations. One participant stated,

"I am too busy trying to make a living, to look after my own family financially. To ask victims like myself to give up more of their precious time... is not practical."

Exploring flexible scheduling options and alternative participation methods could make the process more accessible for working victims. Consideration of these practical barriers opens possibilities for more inclusive approaches to participation.

### **Reluctance to engage**

Some victims expressed strong reservations about face-to-face encounters. One participant noted,

"The FGC felt like re-victimisation. Also being given the chance to be clearly identified by the offender seemed like a bad idea if you don't trust the offender and they live in the same community."

Safety concerns and emotional readiness emerge as key factors in participation decisions. Alternative participation options and enhanced preparation support might help address these valid concerns.

### **Process understanding and outcomes**

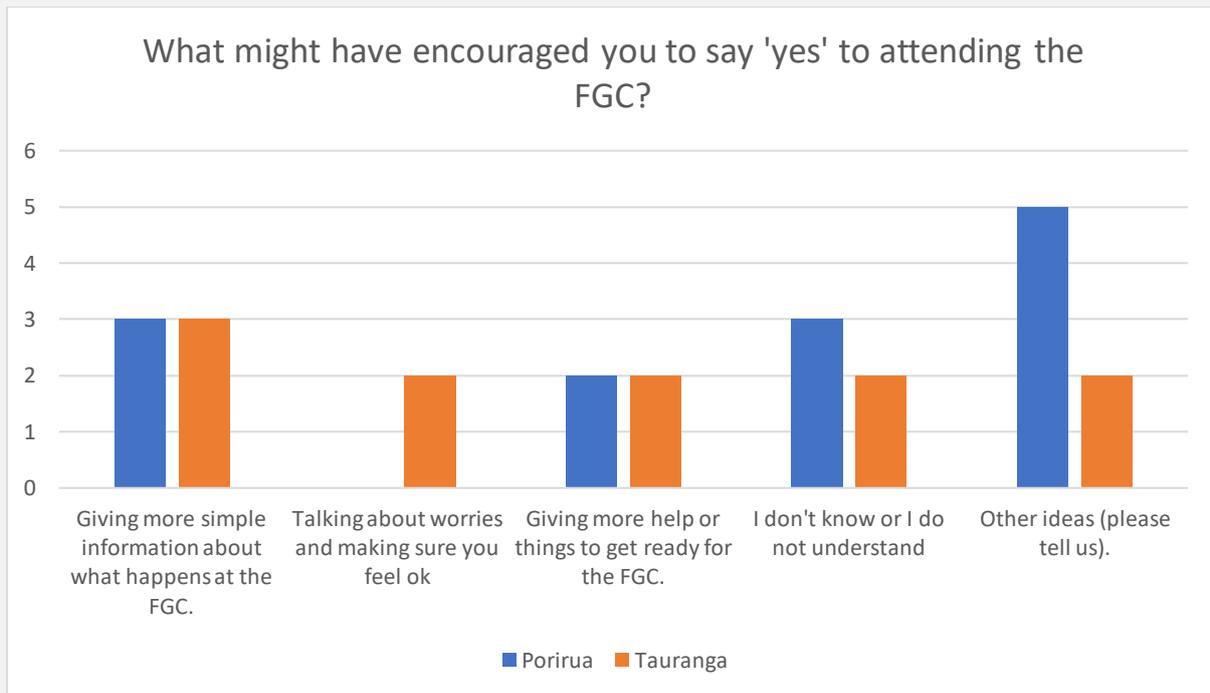
Uncertainty about the process and its outcomes deterred some participants. As one explained,

"I was unsure what was expected and how being there would have made any difference or impact on any outcomes."

Another noted concerns about proportionality:

"There needs to be better outcomes for victims from youth crime - at present the punishment does not reflect the crime."

Enhanced preparation and information sharing could help victims feel more confident about their role. Greater clarity around typical outcomes might also assist victims in making informed decisions about participation.



**Figure 7: What changes might have increased the likelihood of FGC participation? The view of non-participating FGC victims**

Those who chose not to participate in FGCs indicated several factors that could have encouraged their participation. While acknowledging communication and support systems are already well established, there was a desire for clearer and simpler information about the FGC process consistently identified across both locations. The responses also highlighted the importance of emotional support and practical assistance, though these needs varied between sites. This offers insight into the value of information delivery and support systems which might help increase future participation rates.

When asked specifically about what might have encouraged their attendance, victims offered several practical suggestions for improving the FGC process.

### Improving FGC engagement: Victims' views

#### Flexibility in meeting arrangements

Participants emphasised the importance of adaptable meeting arrangements and diverse communication methods. Several suggestions focused on modernising contact approaches, with one participant noting that

"contact by phone or email would have been more effective than through the post."

Others advocated for virtual options, with one respondent suggesting that

"zoom" meetings could provide participants the choice of whether to show their face. The timing of meetings emerged as another key consideration, with calls for

"better hours for working people."

While virtual options were available, one participant expressed a preference for in-person meetings, stating

"The meeting was in Paeroa. I was offered to do by phone but feel these need to be in person."

These varied preferences suggest the need for a consideration of a varied flexible approach to FGC delivery that can accommodate different communication preferences and practical constraints.

### **Case-specific considerations**

Some participants questioned the appropriateness of FGC for their particular situations. One reflected,

"I'm not sure I would have been helpful. I was just glad no one was hurt. And I had no life lessons to teach about how badly it affected me."

Another participant simply stated,

"I do not think the FGC is always appropriate."

These responses reflect individual differences around the perceived value of FGC for different offence types and situations.

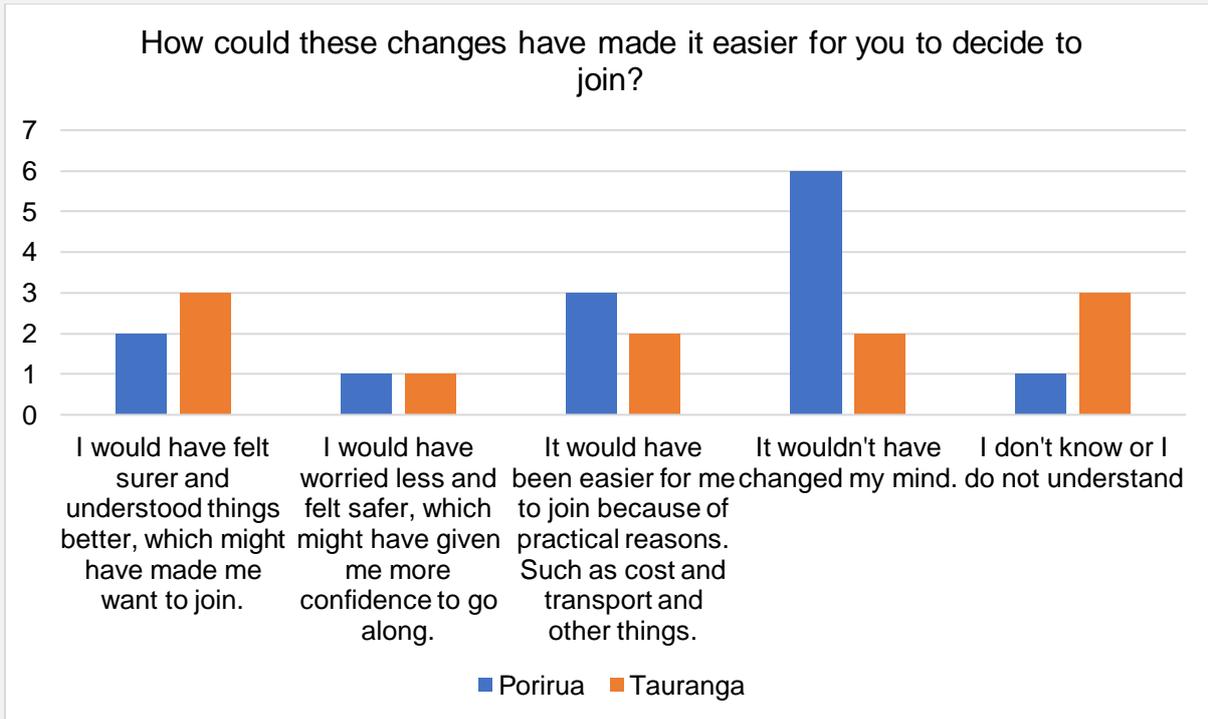
### **Alternative resolution approaches**

The effectiveness of non-FGC options emerged as another consideration. Another participant shared a positive experience with an alternative approach:

"In the past we have had the offender present themselves with youth aid to us to apologise in person, that for us held more weight than attending a FGC."

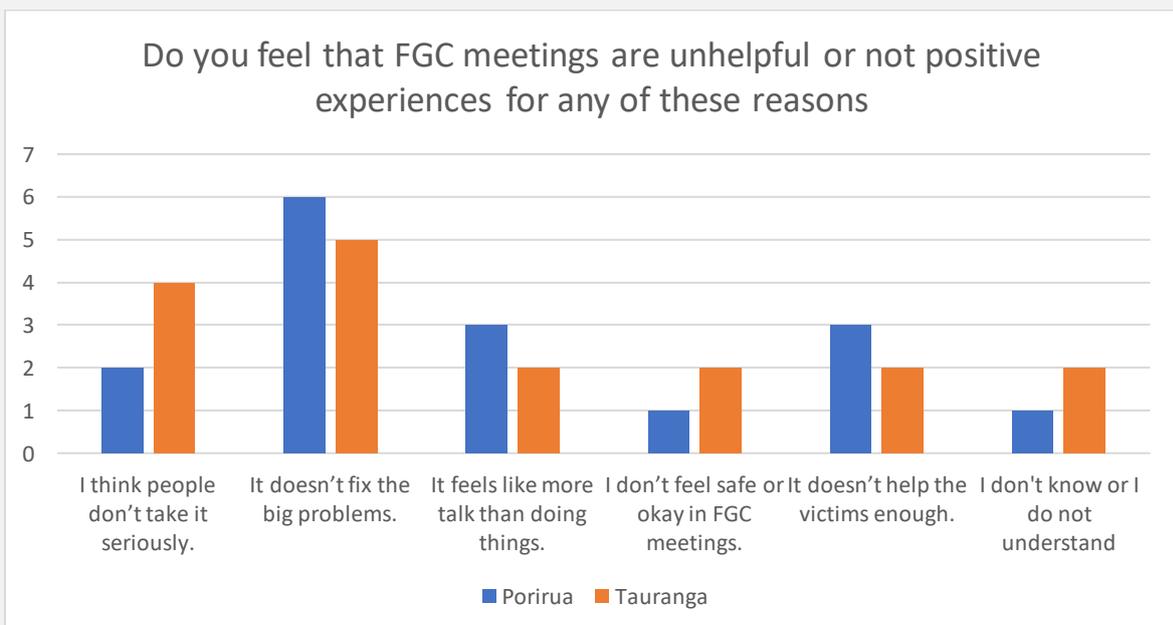
This demonstrates the value of having a range of resolution options, allowing for different approaches based on case circumstances, victim preferences, and the nature of the offence.

Overall, the responses reveal three distinct themes affecting FGC participation decisions. The most prominent theme was the need for flexibility in conference arrangements, with suggestions ranging from virtual options to more accessible timing and communication methods. Some respondents questioned whether FGC was appropriate for their specific circumstances, particularly in cases they considered minor. Others noted that alternative resolution approaches, such as direct apologies, might be more effective in certain situations. These findings suggest that offering more flexible participation options and recognising when alternative approaches might be more suitable could enhance victim engagement in the justice process.



**Figure 8: What changes might have increased the likelihood of FGC participation? Views of non-participating FGC victims**

The responses show Porirua respondents held firm views around not participating while in Tauranga respondents indicated that better understanding and clarity about the process might have encouraged their participation. Practical barriers such as transport and cost were identified across both sites. These findings suggest that while information about the FGC and processes might influence some potential participants, others had made firm decisions based on their specific circumstances.



**Figure 9: Negative perceptions (in general) of FGC for victims that choose not to participate**

Non-participating victims across both sites expressed concerns about the potential effectiveness of FGC meetings. The predominant concern was that FGCs "don't fix the big problems" suggesting scepticism about the process's ability to address underlying issues. There were also notable concerns about participants not taking the process seriously, particularly in Tauranga. Additional themes emerged around the perception that FGCs include more talk than action, concerns about safety, and doubts about adequate victim support. These findings indicate that non-participating victims have fundamental doubts about both the practical effectiveness and the supportive capacity of the FGC process, which likely influenced their decision not to participate.

## Exploring non-participation: a case study analysis

Alongside the survey, the study aimed to interview victims who declined FGC participation, with only one victim agreeing to share their experience. Despite this limitation, their detailed account provided valuable insights into the barriers that can prevent engagement with the youth justice system. Their experience highlighted several factors that influenced their decision not to participate.

### Time and process delays

A delay between the offence and scheduled conference emerged as a primary barrier. The victim expressed frustration about the waiting period which they said was

"almost a year."

This extensive delay appeared to diminish the perceived value and relevance of participation.

### System balance and victim consideration

The victim identified a distinct offender-centric orientation in the process, noting that

"everything I have has all been about the boys."

This imbalance manifested through dominant focus on offender circumstances, including their background factors ("didn't have a very good home life"), while providing limited attention to victim needs and perspectives.

### Questions of purpose and value

Fundamental uncertainty about participation value emerged as another key theme. The victim's statement that

"knowing the person's name didn't really change anything and going to the meeting wouldn't change anything"

This revealed scepticism about meaningful outcomes. This uncertainty about potential benefits appeared to influence their decision against participation.

### Safety and re-traumatisation concern

Direct exposure to the offender presented a barrier, with the victim expressing clear reluctance:

"I didn't also want to be in a room overly with the boy that did it."

This concern about potential re-traumatisation highlights the importance of considering emotional safety in FGC processes.

### Practice implications

While based on a single case, these findings suggest several areas for system enhancement:

- clearer articulation of FGC purposes and potential outcomes
- enhanced victim support mechanisms to help with re-traumatisation and fear
- a focus on a balanced consideration of victim and offender needs

## Stakeholder views on victim experiences in FGCs

Drawing from interviews with Youth Justice coordinators, social workers, and police youth aid officers, several interconnected themes emerge regarding conditions for meaningful victim participation. This analysis suggests successful victim experiences require careful attention to multiple interconnected factors while maintaining core principles of victim support and engagement within New Zealand's unique bicultural context.

### Perspectives on pre-conference factors in FGCs

The research examining stakeholder views on pre-Family Group Conference (FGC) factors reveals several interconnected themes that influence victim experiences. These insights offer considerations for enhancing victim engagement.

#### Victim choice in participation

Professionals emphasised the fundamental importance of victim choice in the FGC process. Professional perspectives consistently highlighted that genuine choice in participation was a priority:

"Victims should be given the opportunity to come to a family group conference, but if they don't want to because they've had trauma or they're actually angry at the young person and they don't think it's gonna provide any purpose... victims shouldn't be pushed to come."

This emphasis on autonomous decision-making extends to participation methods, with stakeholders noting that victims should have flexibility in how they engage:

"Some of them will say, well, look, if it's okay with you, I phone in or I'll email you a submission. And that to them is determining how much time they want to invest in this process, and that's fine, that's on their terms."

To better support victim choice, more focus could be placed on articulating clearer options for different types of participation while trying to ensure that victims feel empowered rather than pressured to attend.

## Current success measures and victim participation

Some stakeholders questioned how victim participation is measured:

"The ministry are misguided in their view of victim participation, this assumption that all victims should participate. The data they're watching is the number of victims who turn up... that's assuming they all want to come."

These reflections indicate tension between institutional metrics and victim-centred practice.

## Youth Justice coordinator role in shaping experience

The function of Youth Justice coordinators was identified as creating positive pre-conference conditions. Their role encompasses both practical and emotional support.

"Participation at FGC is really dependent on the coordinator and how they convene, how they hold, and how they facilitate."

Another noted:

"If the coordinator can get alongside the victim, we can understand where they're coming from and build some realities around what the FGC process is."

These perspectives highlight the coordinator's role in shaping victim experiences.

## Managing expectations and preparation

Stakeholder insights reveal the importance of thorough preparation and expectation management. Professionals noted that preconceptions about FGCs can impact engagement:

"Victims who have got a preconceived idea about what family conferences are, that's always a big issue... It's not until they come to a conference, they understand how powerful it is, but if they haven't been framed about it beforehand, you were a bit of a hiding to nothing."

This suggests that successful pre-conference engagement requires careful attention to framing, and it requires careful listening to the victims pre-conceived ideas and desires.

## Factors contributing to positive victim experiences during FGCs

### Physical and emotional safety

The foundational requirement for victim engagement centres on creating secure environments, both physically and emotionally. As one Youth Justice FGC Coordinator from emphasises:

"Safety is paramount. Victims need to feel physically and emotionally safe throughout the process, or they won't engage fully."

This foundational focus suggests that safety protocols are of high priority for stakeholders.

### Cultural responsiveness

The integration of cultural practices emerges as a core element in creating engaging environments. Stakeholders observe that:

"Cultural competence makes a huge difference. When we can incorporate cultural practices that resonate with the victim, it creates a more comfortable and engaging environment."

This insight indicates a focus on ongoing cultural competency development among FGC coordinators and prioritise of culturally responsive practices.

### Voice and recognition

The centrality of victim voice shapes meaningful participation outcomes. Professional perspectives emphasise that:

"Giving victims a real voice in the process is key. When they feel heard and that their input matters, they're more likely to engage actively."

This finding suggests placing more weight on victim input throughout the FGC process, not just during the conference itself. As this can improve active engagement.

### Closure and accountability

Successful outcomes require both victim resolution and offender responsibility, as stakeholders note:

"Success is when the victim feels their needs have been met and there's a sense of closure"

and

"The young person taking genuine responsibility for their actions and committing to change."

These quotes describe an interesting version of what a successful FGC can look like for the victim and for the offender. This involves enabling the victim to have their voice heard and their needs met, as well as the offender taking genuine responsibility for their actions.

### **Balanced focus between participants**

Managing competing needs requires careful facilitation. As one youth aid police officer explains:

"It's a delicate balance. We need to address the needs of the young person while also ensuring the victim feels heard and respected. When we get that balance right, victim engagement tends to be much better."

This suggests that the key to improving victim engagement in FGC is ensuring they feel genuinely supported and prepared, rather than overwhelmed by an offender-focused process. This means providing victims with appropriate support people, creating a safe and comfortable environment, and enabling them to participate meaningfully through well-trained staff who understand how to balance victim and offender needs during conferences.

### **Flexibility in process**

Adaptable approaches enhance participation opportunities. Stakeholders note:

"Flexibility is important. Sometimes we need to adjust our approach to accommodate the victim's needs, which can really improve their willingness to participate."

This indicates the value of developing multiple participation pathways while maintaining core process integrity.

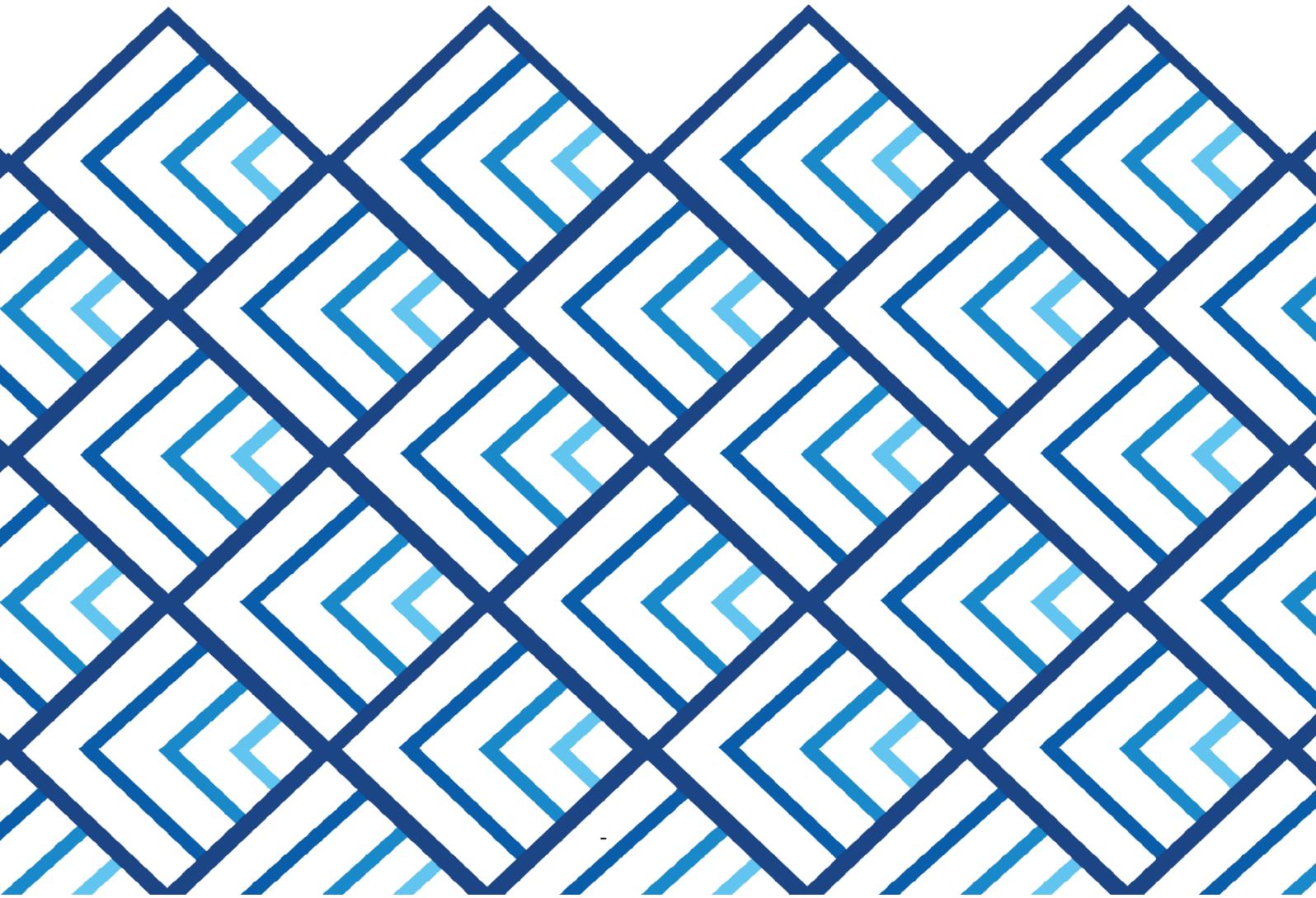
### **Post-conference support**

The continuation of support after the conference proves important for long-term satisfaction. As one Youth Justice Coordinator observes:

"Follow-up is often overlooked, but it's crucial." When victims see that there's ongoing support and follow-through after the FGC, it can really impact their overall satisfaction and willingness to engage in the future."

Creating structured follow-up procedures could improve victim satisfaction and encourage future participation in FGCs.

# Discussion and conclusion



This project highlights the experience surrounding victim participation in youth justice Family Group Conferences (FGCs), drawing on insights gathered from both victims and stakeholders. Central to this study is the enquiry: "Does early engagement and support for victims enhance victims' participation in FGCs?" Through exploring the viewpoints of victims and stakeholders, we aimed to better understand what might enhance victim engagement, particularly through early intervention and support strategies, and their impact on victim attendance and participation.

### Why did victims choose to attend YJ FGCs?

Victims who chose to attend Family Group Conferences (FGCs) in our study were often motivated by a desire for accountability, reduce reoffending and a need to express their feelings regarding the offence. Victims also appreciated the opportunity for direct engagement, which facilitated understanding of the offender's situation and healing.

### Barriers to engagement

Despite their motivations, victims faced several barriers that hindered their participation in Family Group Conferences (FGCs). Issues such as scheduling conflicts—most FGCs are held Monday to Thursday during standard work hours—impacted victims' ability to attend. Additionally, a lack of information about the FGC process and concerns about safety or intimidation from offenders further complicated their willingness to engage.

### Victims had a desire for post-conference follow-up

Victims expressed a desire for updates on the young offender's progress after the FGC. Structuring follow-up processes would help victims feel that their participation had a meaningful impact. Particularly victims who engaged in FGC for altruistic means such as reducing reoffending.

### Why might victims decline FGCs?

Data from surveys and interviews reveal several reasons about why victims may choose not to participate:

1. **lack of prior knowledge:** Most victims reported minimal or no knowledge of FGCs before being invited. This lack of awareness could have influenced the victim's decision to decline the FGC.
2. **perceived purpose and relevance:** While victims recognised the conceptual purpose of FGCs, many questioned whether their participation would matter, especially in cases they perceived as minor. This scepticism can diminish motivation to attend.
3. **logistical challenges:** Many victims cited practical barriers such as timing and location as reasons for declining participation. Conflicts with work schedules or concerns about transport can deter participation.
4. **safety and emotional concerns:** Some victims expressed reluctance to engage due to fears of re-traumatisation or intimidation by the offender. This highlights that victims value supportive measures to ensure the emotional safety of victims.
5. **suggestions for improvement:** Victims indicated that clearer information about the FGC process, more flexible scheduling, and alternative resolution options could encourage their participation. Recognising the diversity of victim

experiences and preferences is an important consideration toward enhancing engagement strategies.

### **What did stakeholders find most important?**

Interviews with Youth Justice coordinators, social workers, and police youth aid officers revealed several key themes regarding conditions for meaningful victim participation. These insights highlight important considerations for enhancing victim engagement:

#### **1. victim choice and agency**

Stakeholders emphasised the importance of victim choice in the FGC process. Professionals highlighted the need for genuine choice:

“Victims should be given the opportunity to come to a family group conference, but if they don't want to... they shouldn't be pushed to come.”

This autonomy extends to participation methods, allowing victims to engage in ways that suit them, such as by phone or email.

#### **2. measuring victim participation**

Some stakeholders questioned why victim participation is measured, suggesting that institutional metrics may not align with victim-centred practices.

“The assumption that all victims should participate... is misguided,”

#### **3. role of youth justice coordinators**

Youth Justice coordinators are important in shaping victim experiences. Their ability to provide practical and emotional support can influence participation outcomes. Coordinators who are skilled in facilitating discussions can help victims feel understood and valued.

#### **4. managing expectations and preparation**

Thorough preparation is vital for managing victim expectations. Stakeholders noted that preconceived notions about FGCs can deter participation, underscoring the importance of clear communication about the process and its potential benefits.

#### **5. creating safe environments**

Safety—both physical and emotional—is paramount for victim engagement. Stakeholders agree that establishing secure environments is foundational for full participation, highlighting the value of standard safety protocols across FGCs.

#### **6. cultural responsiveness**

Integrating cultural practices into the FGC process is essential for creating engaging environments. Stakeholders noted that cultural competence enhances victim comfort and participation.

## 7. voice and recognition

Victim voice is central to meaningful participation. Stakeholders emphasised that when victims feel heard, they are more likely to engage actively. Structured opportunities for victim input should be integrated throughout the FGC process.

## 8. closure and accountability

Successful outcomes require both victim resolution and offender responsibility. Stakeholders underscored the importance of things that measure victim satisfaction alongside offender accountability.

## 9. flexibility in process

Adaptable approaches enhance participation opportunities. Stakeholders noted that flexibility in scheduling and communication can improve victim willingness to engage.

## 10. post-conference support

Continued support after the FGC is important for long-term satisfaction. Structured follow-up procedures can help ensure that victims feel supported and valued beyond the conference itself.

## Methodological evolution in measuring victim participation: implications for research design and policy development

The findings from this review of victim participation patterns reveal methodological limitations in the historical measurement of FGC participation. Earlier research protocols (1990-2002) employed a singular metric of physical attendance, yielding attendance rates between 9.6% and 50%. These attendance-focused measurements contributed to a narrative of low victim attendance, subsequently influencing policy development, governmental decision-making, and academic discourse regarding FGC effectiveness. However, contemporary studies (2017-2019) demonstrate that when measurement frameworks encompass diverse participation pathways, including written submissions, total participation rates reach up to 79%. The disparity between historical and contemporary participation metrics indicates the need to build upon the methodological foundations established by Oranga Tamariki Evidence Centre (2020a), Spier and Gill (2021), and Williams and Ioane (2021) in their comprehensive measurement of participation. Their nuanced approach to measuring participation has begun reshaping public, governmental, and academic discourse regarding FGC effectiveness for victims.

## Conclusion

This research documents the reasons for victim engagement in FGC and reasons for non-participation. While many victims who attended were motivated by a desire for accountability and healing, those who declined reported a lack of knowledge, logistical challenges, and safety concerns. Insights from stakeholders underscore the importance of victim choice, effective communication, and cultural responsiveness in fostering meaningful participation. Addressing these issues through improved outreach, flexible arrangements, and recognition of individual victim circumstances could enhance engagement in youth justice FGC. The integration of both victim and

stakeholder perspectives provides a holistic understanding of the FGC process and its impacts on victims and the community.

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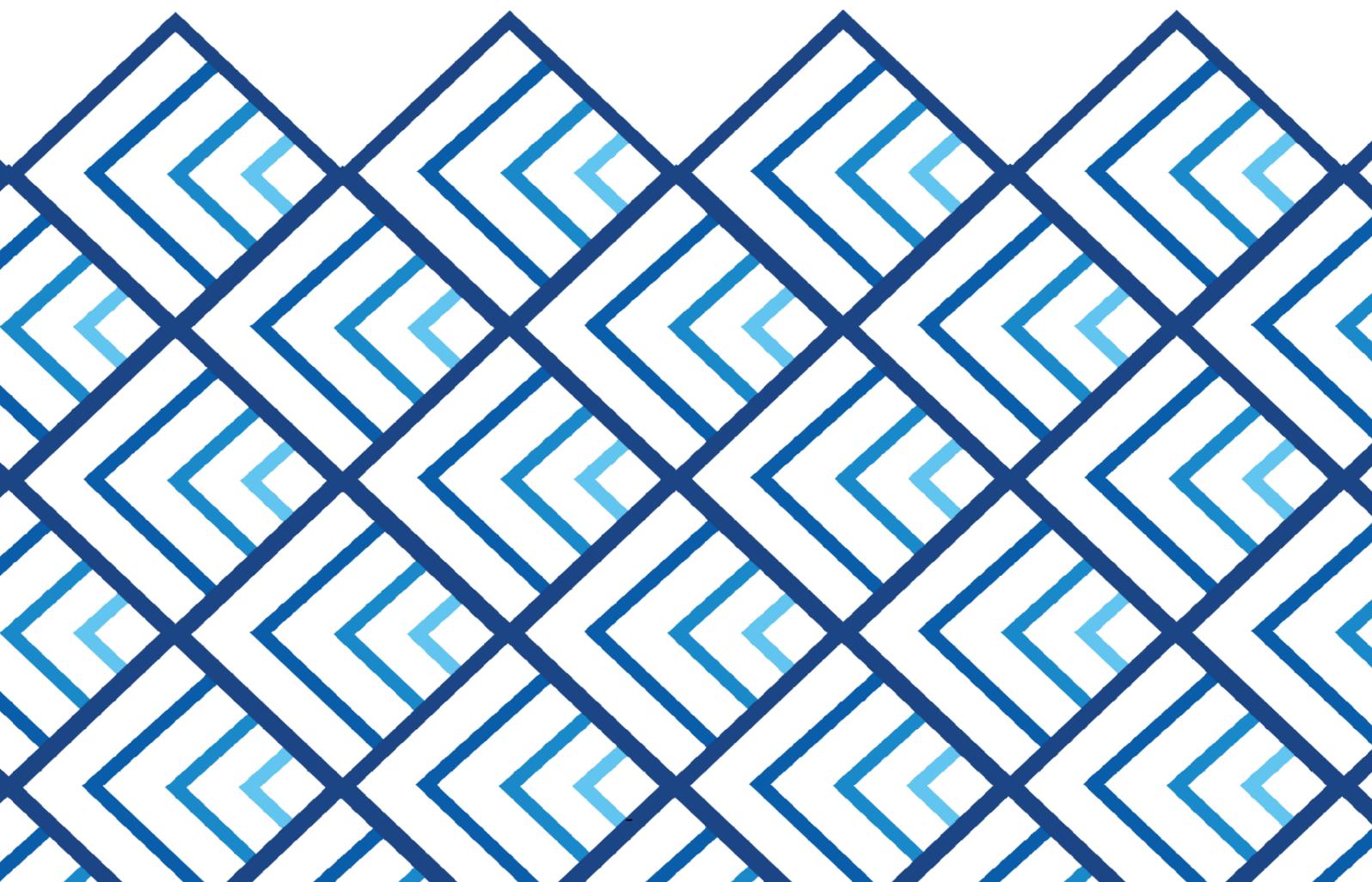
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# Appendix: Additional tables



**Table 4: What is your understanding of the purpose of FGC?**

Themes	Offence type	Representative Quotes
To prevent further victimisation	Youth Justice Social Worker	<i>"To address the offending of the young person. To provide them with supports so that they don't continue on this trajectory. It's ideally to keep them out of the youth justice system."</i>
To enact restorative justice	Youth Justice Coordinator	<p><i>"It's restorative justice, so it's, you know, restoring, well, one, the victim's view of their community and ensuring that they feel safe. And also to put plans around our young people, our children, and young people who prevent further offending in the future."</i></p> <p><i>"For restorative justice. To try and put right their wrongs. Give the victim the space that they can come in and they can speak to the young person have their impact so the young person can understand what their behaviour does to people."</i></p> <p><i>"(to) come together and try come up with solutions."</i></p>
To support good outcomes for young offenders		<i>"The purpose of the FGC from my position is to get good outcomes for our young people so that they won't re-offend, and to address the needs of the, of all the, the victims and all the other participants within the FGC as well."</i>

To support accountability:

*"The purpose of the FGC is to hold the young person accountable for their actions, as stated in the law."*

**Table 5: What made the FGC difficult, if at all**

Themes	Offence type	Representative Quotes
Number of participants	Assault and attempted robbery on public transport	<p><i>"I completely felt outnumbered. They were standing along the walls. There wasn't enough seats in the room. It was overpowering. I felt outnumbered. I did not feel in a safe, happy place as in the fact of it was not a nice atmosphere."</i></p> <p><i>"I think maybe a personal limit would be good. I understand. But I think maybe 35 people for what ended up being, at least for me, a twenty minute thing was a little bit overkill."</i></p>

**Table 6: What does a successful FGC look like to you?**

Themes	Representative Quotes
Preventing reoffending	<p><i>"A successful FGC is five years later, you have a young man or woman tap you on the shelf and say, you go, Hey Mr. Bro, remember me. No, I don't. I said, remember. Yeah. So that's success if that's always been the thing is you've come into an FGC, they put a plan together. They were a dumbass one time for doing something silly supports around them. They engaged, they actually wanted to engage. There were supports. The other side, they come out, that's the end of story. You never see them again. That's success in our job."</i></p>

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Wholistic addressing of the harm (for offenders, victims, community, family)

*"it would mean that not only would the young person find value from the engagement, but the victims would feel satisfied with their experience and have an appreciation for the process. So, I guess an ideal FGC is the young person's needs are addressed and met, so are the victims, and then we don't see either of those people ever again."*

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Realistic expectations that support engagement

*"I think if everyone understands why we're meeting, and you've got some willing participants, that really helps you. You notice that the tone of an FGC is often set at the beginning. But sometimes it also means that those that are participating have [are given] a little bit more information beforehand, you know, before they get there so they know what to expect, in some ways."*

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