Ki mai ki au. He aha te taonga nui o te ao? Maku e ki, he tamariki, he tamariki, he tamariki
Should you ask me, what is the greatest treasure in the world, I would reply, It is children, it is children, it is children.

In 1989, new legislation changed the way child welfare responds to children and families in Aotearoa New Zealand. With the introduction of the Children, Young Persons and Their Families Act (1989) and its creation of the innovative Family Group Conference (FGC), families became key participants in a process of decision making. Although it is widely recognized that the FGC originated in Aotearoa New Zealand, just what gave rise and shape to the development is a far more complex question.

Revolutionary social change can rarely be traced to a single cause. More frequently it emerges from the critical convergence of ideas, processes, and developments that create a context for change. The purpose of this brief discussion is to trace the ideas and developments that were fundamental to the building of shared decision-making practice with families in Aotearoa New Zealand. It is written in the belief that the future is nested in the present, which is nested in the past, and that we benefit from understanding the beliefs that anchor our practice. It is also written as a tribute to those who worked tirelessly to create more humane systems of welfare for us and our children after us.

Cultural considerations

Cultural issues rest at the heart of practice change in Aotearoa New Zealand. From the late 1970s, a series of reports sharply highlighted issues of institutional racism experienced by Maori, the indigenous people of Aotearoa New Zealand (ACORD, 1979; HRC, 1982; Department of Social Welfare, 1985). Maori were, and continue to be, over-represented in welfare statistics, and during the 1980s there was considerable dissatisfaction with the negative effects of care practices that were seen to alienate children from their family of origin, while also failing in many cases to provide longer-term security for those children in out-of-home care (Connolly, 1999; Hassell, 1996). In the early 1980s, the government launched Maatua Whangai as a system of care in partnership with iwi, the tribal structure of Maori society. Maatua Whangai used kinship structures within a fostering framework to care for Maori children, its objectives being to release Maori children from institutional placements and place them into the care of their family and tribal groups (New Zealand Government, 1986).

However, probably the most significant report concerning welfare issues and the needs of Maori was Puao-te-Ata-tu (Ministerial Advisory Committee, 1986). In July 1985, the Minister of Social Welfare established a ministerial committee to investigate and report a Maori perspective on the operations of the Department of Social Welfare, the statutory body then responsible for child welfare in Aotearoa. The committee commented on their findings of institutional racism within the organization and across New Zealand society noting:

At the heart of the issue is a profound misunderstanding or ignorance of the place of the child in Maori society and its relationship with whanau, hapu, iwi structures (Ministerial Advisory Committee, 1986, p. 7).

Whanau, hapu, and iwi do not translate readily to Western concepts of what constitutes family, but most closely approximate a range of meanings from extended family to tribal affiliation, and comprise the familial kinship structure upon which Maori society is based. Importantly, the committee was invited to make recommendations with respect to changing New Zealand’s existing child welfare legislation. Their
response urged a revision stating:

The Committee considered a substantial ideological change necessary if the Act were to adequately cater to Maori needs (Ministerial Advisory Committee, 1986, p. 29).

The Committee acknowledged that a child’s family (family in the broadest sense) is the most informed group and has the most connection with that child. Among the many recommendations, the Committee strongly supported the maintenance of the child within the family; greater consultation with whanau, hapu, and iwi; and overall the development of strategies that harness the potential of all people, especially the Maori. The sentiments within the report resonate strongly with the principles of the 1989 legislation, and Puao-te-Ata-tu is widely regarded as generating the impetus for change (Connolly, 1999; Love, 1999; Hassell, 1996).

The power of family

Social workers responded to the challenges of Puao-te-Ata-tu by developing practices that encouraged a greater degree of family/whanau involvement both in decision-making and with respect to hapu and extended family kinship care. Similar ideas were being explored within the area of youth offending, and in an early report Doolan (1988:11) writes about the need:

...to have Maori whanau more directly involved in, and with the power and resources to achieve, a diversion from Court prosecution. The object of the whanau/family conference, conducted in culturally appropriate ways and settings, would be to determine whether or not the matter could be resolved short of prosecution...

Ultimately these ideas, and the whanau-strengthening practices that were emerging following Puao-te-Ata-tu would be critical in shaping the form of the new legislation in both care and protection and youth justice areas. However, despite this strong support and convergence of influences toward a greater involvement of family in matters of child welfare, the drafted Children and Young Persons Bill introduced into the New Zealand parliament in 1986 minimally reflected these ideas. Indeed, the Bill supported the strengthening of professional, multi-disciplinary child protection teams as a central component within the child care and protection process.

The Bill went to select committee for more detailed consideration, during which time, a new Minister of Social Welfare was appointed. The new Minister, concerned about aspects of the Bill, ordered a further review by a working party within his own department. Significantly, the Minister required that the working group address cultural issues and in particular the status of tangata whenua, the indigenous people of Aotearoa, and the need to find less intrusive and more empowering interventions. In addition, a guiding principle was that the Bill “involve parents, family groups, whanau, hapu, and iwi in developing solutions to problem situations” (Hassell, 1986, p. 25).

Taking action

The working group took seriously the new terms of reference, and a significantly modified Bill was reintroduced to parliament and law in 1989. Its change of title to the Children, Young Persons and Their Families Act reflected its commitment to greater family involvement, its principles clearly articulating the primary role of the family in caring for children, and the need to support family, whanau, hapu, and iwi, and family group to undertake this role. The state was required to find the least intrusive interventions to further these aims. Once passed into law, Aotearoa had six months to bring the Act into practice, and on November 1, 1989, all children who were assessed as being in need of care and/or protection were required to be referred to a Care and Protection Coordinator for a Family Group Conference. The FGC became the legal mechanism through which the dual principles of child protection and the strengthening and maintenance of families would be formally addressed. Similarly, children facing prosecution for their offending behavior were referred to a Youth Justice Coordinator for a Family
A Perspective on the Origins of Family Group Conferencing

Group Conference prior to the commencement of legal proceedings against them.

As a diversion from the court system, the Youth Justice FGC became the legal mechanism for holding children and young persons accountable for their offending, and providing the means through which they could make amends to their victims. With the aim of reducing offending behavior, the FGC also provided the means through which the young persons and their family could be given support and assistance. There was no turning back, and workers were challenged and excited about the prospect of implementing innovative and far-reaching legislation.

Sharing the experiences

Partnership work and sharing power with families is a universal human right that has the potential to strengthen the safety net for children at risk. Although FGC originated in Aotearoa New Zealand, no one country ever owns a good idea. Supporting the vision of power-sharing with families, the Family Group Conference has now crossed international boundaries and systems of welfare, changing and developing according to the particular cultural environment of the adopting system. Sharing good ideas is an essential human endeavor. As we share our gifts, we contribute to the knowledge basket of all who work with children and families.

References


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