

Increasing victim and whānau attendance at Youth Justice FGCs

Insights and recommendations from qualitative Explore work



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TEAM

Acknowledgements

The Oranga Tamariki Evidence Centre works to build the evidence base that helps us better understand wellbeing and what works to improve outcomes for New Zealand's children, young people and their whānau.

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December 2020



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Supporting digital engagement

The Explore work presented here was led by Dr Sarah Hayward, Principal Advisor for BIT-NZ, and Leah Everist, Associate Advisor, with support from the Behavioural Insights Teams in Wellington and Sydney and in partnership with the Oranga Tamariki Evidence Centre.



Project Objective

Increase victim and whānau attendance at Youth Justice Family Group Conferences (YJ FGCs)





Project Principles

Increase victim and whānau attendance **and meaningful participation** at YJ FGCs

Build upon te ao Māori ideas and principles

Use behavioural science principles based on empirical research findings from around the world

Do not increase workload for YJ coordinators

Support effective remote participation to keep participants safe from COVID-19



Methodology



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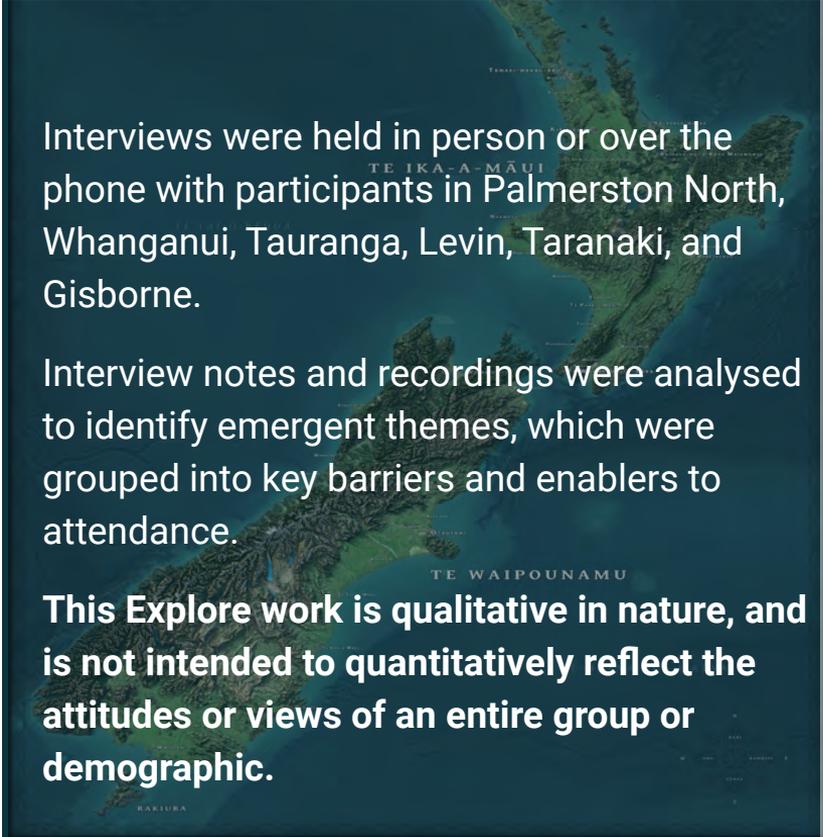




Methodology

BIT conducted interviews with 23 participants, including:

- Victims and their whānau
- Whānau of rangatahi involved in offending
- Youth Justice (YJ) Coordinators
- YJ site managers
- Iwi Coordinators
- Police Youth Aid Officers



Interviews were held in person or over the phone with participants in Palmerston North, Whanganui, Tauranga, Levin, Taranaki, and Gisborne.

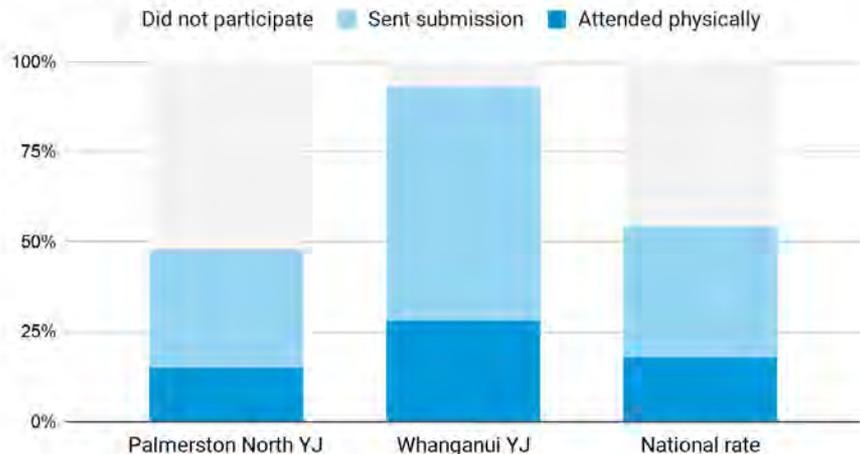
Interview notes and recordings were analysed to identify emergent themes, which were grouped into key barriers and enablers to attendance.

This Explore work is qualitative in nature, and is not intended to quantitatively reflect the attitudes or views of an entire group or demographic.

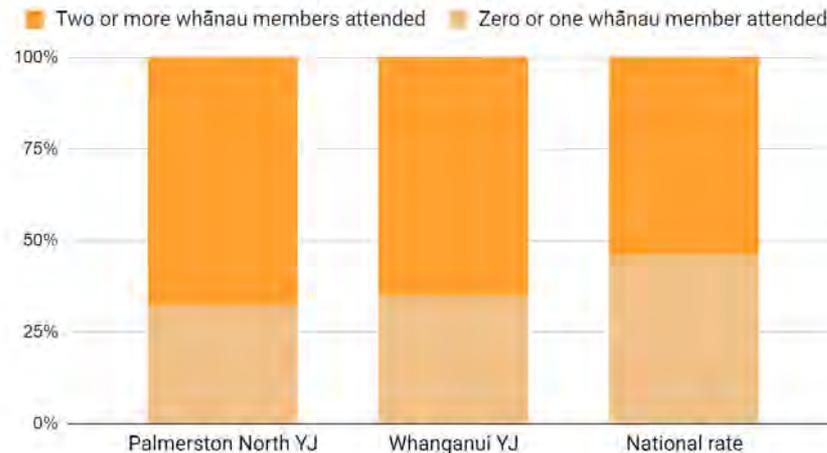
Context: Physical attendance low for victims, higher for whānau



Victim Participation at YJ FGCs in 2017/18 and 2018/19

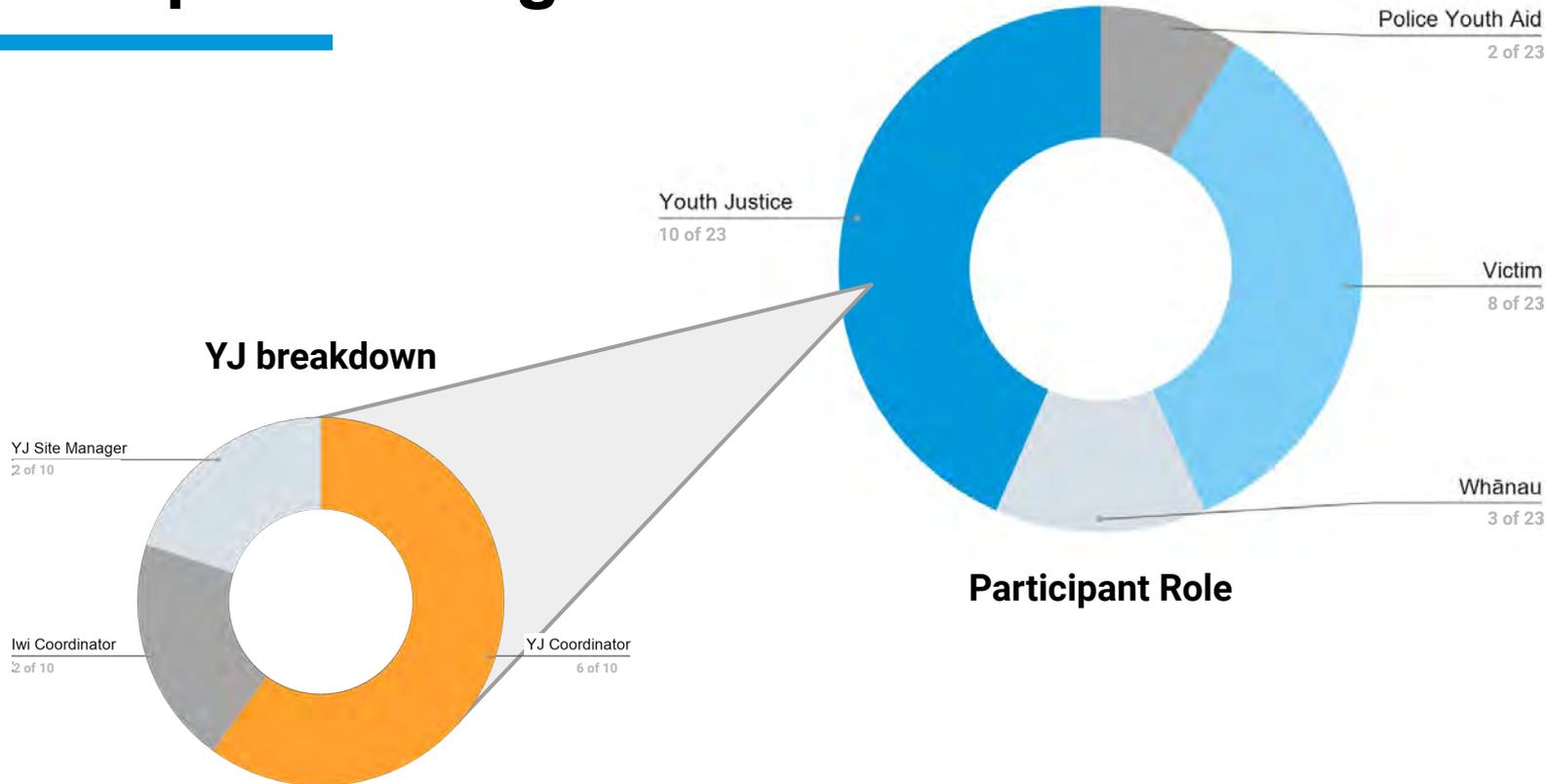


Whānau Participation at YJ FGCs in 2017/18 and 2018/19





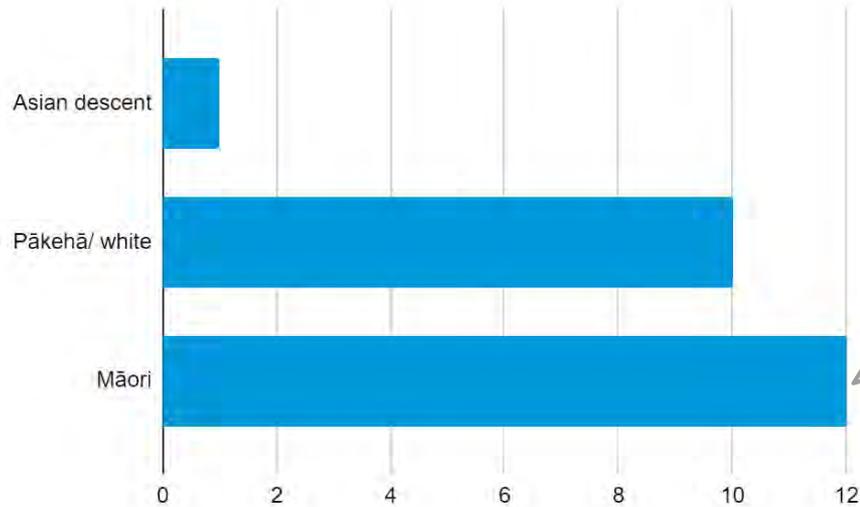
Participant Backgrounds



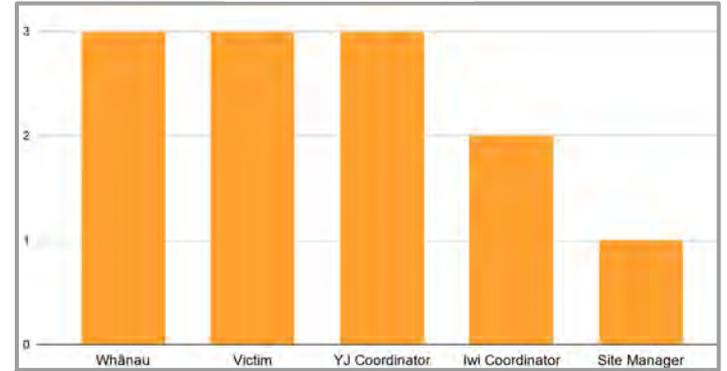


Participant Backgrounds

Participant Ethnicity



Māori participants by role



Findings





Important **structural** barriers



YJ Coordinators not having the time and resources necessary to adequately prepare victims and whānau, eg building rapport, face-to-face meetings, hui-a-whānau, or other preparations



The challenges of non-Māori YJ Coordinators understanding te ao Māori, engaging effectively, and providing culturally appropriate support to young people, whānau, and victims



Victims not being able to take time from work or receive compensation/ support for transportation, child care, etc.



Victims being unhappy with reparations options (or lack thereof) in cases where property has been stolen, damaged, or destroyed



Other Key Barriers

Victims	Whānau
Not having a support person	Not wanting full whānau to know about what happened
Not knowing what to say	Poor experiences at previous FGCs, either YJ or Care and Protection
Poor communication leading to a poor overall understanding of the YJ process	Confusion about the objectives of YJ FGCs
Feeling that one's presence will not make a difference to the young person's attitude	Low trust that process will be fair to Māori whānau
Feeling unsafe; fear of retribution	Low hope or belief that YJ FGC will change the behaviour of offending rangatahi



Key Enablers

Victims	Whānau
Desire to represent own story, perspective; “give a face” to harm that has been done	Holding a hui-a-whānau ahead of the YJ FGC with only whānau, rangatahi, and the YJ Coordinator
Face-to-face meetings with YJ Coordinator	Personalised & delivered invitations
Sense of community; desire to help young person “turn things around”	Extensive social connections between YJ Coordinators and community members
Solid understanding of the process and their role in it	Relationship between YJ Coordinators and Iwi/ Hapu leaders
Feeling supported by others in the process; not alone	Visual tools to illustrate YJ process, next steps, and plan possibilities



Different approaches to “increasing victim attendance”

Supporting attendance across the board



by addressing the *most* common barriers and enhancing the *most* common enablers for *most* victims and whānau. This approach would engage the largest number of people, from the most diverse range of groups.

Focusing on low-attending groups



such as supermarket managers and dairy owners. These victims have unique barriers to attendance; interventions should lean into use of same-group social norms and ways to facilitate and personalise video participation.

Focusing on low-attendance YJ FGCs



such as low-tariff offences and reconvenings. Victims and whānau invited to these FGCs also have unique barriers and enablers; for example, low-tariff offences may need to use a stronger appeal to a victim’s “community spirit,” as they may be less motivated by representing their story.

Each of these approaches involves addressing a unique set of barriers and enhancing unique enablers to increase victim attendance.

Increasing victim attendance across the board would impact the most people.



Supporting attendance across the board



by addressing the most
common barriers for most
victims and whānau

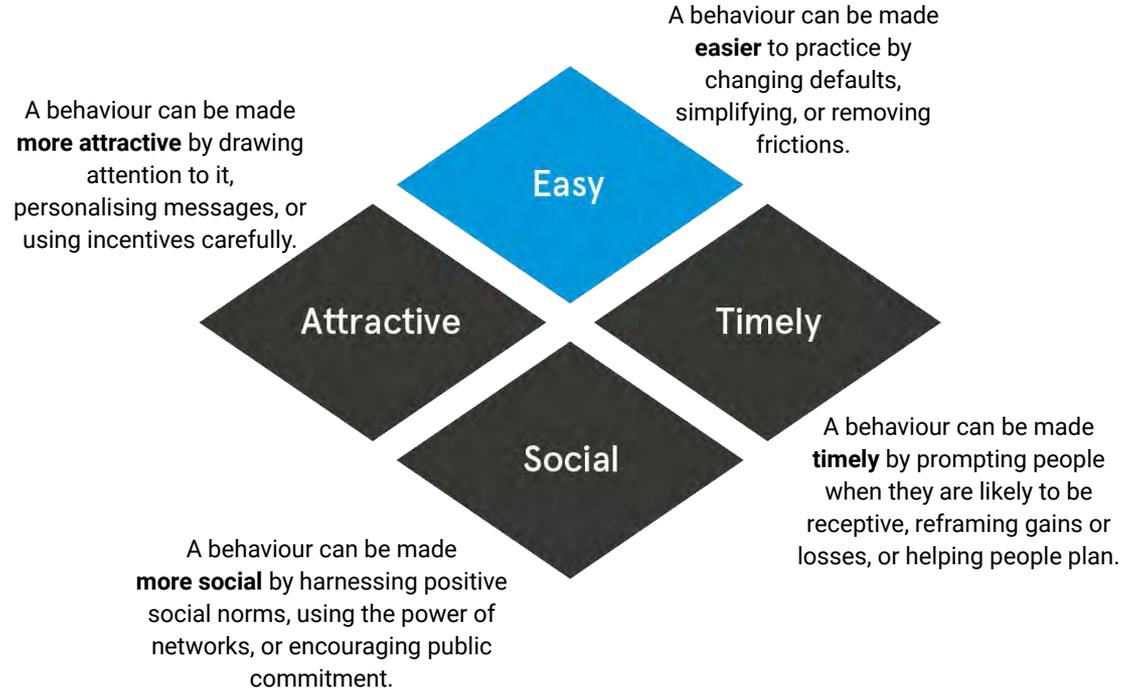
The team chose to proceed with this approach, because it is the most inclusive of diverse cultural, economic, and age groups. Because this approach includes the most victims, solutions that raise attendance across the board stand to impact the most people.



The EAST Framework

Recommendations use behavioural science principles based on empirical research findings from around the world.

These findings have been organised into the EAST Framework: we try to make target behaviours *easy*, *attractive*, *social*, and *timely*.



Interventions to support **victim** attendance



Victims: Develop a visual toolbox

Design BI-informed materials to support victim comprehension.



Create a writing template



Design a process map



Share stories of other victims



Barriers addressed

- ✗ Not knowing what to say
- ✗ Poor understanding of YJ process

Enablers enhanced

- ✓ Desire to share own story, perspective
- ✓ Having a prewritten statement
- ✓ Understanding how process could benefit them



Creating a template: Deep dive

Many YJ coordinators currently notify victims that they can write something down, and even encourage them to do so. To go a step farther, we recommend giving victims a “template” ahead of time with prompts to help them think about what they might like to say.

This recommendation is based on feedback from participants about victims having anxiety about what their role in the FGC would be. It uses the behavioural science principle of making things easy through simplification, and would increase constructive participation by enabling victims to write out thoughts rather than giving “heat of the moment” responses.

Victims would be able to add or omit parts of their statement as they like. Being prompted to think about these questions and what it would feel like to share their responses with the person who offended against them may help victims process the decision about attending.

What was the incident like for you?

How are you feeling now?

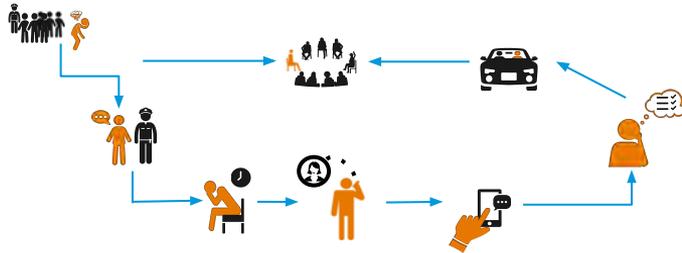
Are there any questions you would like to ask the young person?

How has the incident impacted you?



Process Maps

Many victims told us that the process had been very confusing for them, and that this added to their stress and frustration. A process map designed using behavioural science could reduce anxiety by empowering victims with information that is in a form they can process easily. An effective process map can change the emotional landscape of the “waiting period” for the victim.



Sharing Stories

Sharing small vignettes or visual stories of other victims’ experiences uses the power of social networks and norms. By reading about the experience of others who have attended a YJ FGC and had a positive experience, victims may be able to more easily visualise and process how their participation could be restorative for them. This can be particularly powerful if the stories shared are from others in a similar position (in terms of the offence, their line of work, or sociodemographic factors).



Victims: Work with support people

Design outreach mechanisms that engage a person close to the victim, who could help the victim process information and cope.



Default contact with one other person besides the primary victim



Support through nudge messaging



Barriers addressed

- ✗ Not having a support person
- ✗ Poor communication → poor understanding of process

Enablers enhanced

- ✓ Feeling like the process benefits and supports them
- ✓ Giving victims resources to consider whether they want to engage in an FGC



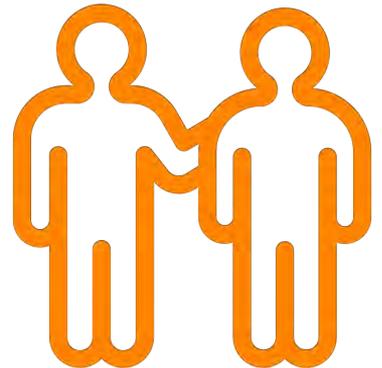
Working with support people: Deep dive

Many YJ coordinators tell victims that they are welcome to bring someone to the FGC with them, but there may be several benefits to engaging someone close to the victim (with the victim's full knowledge and permission) earlier in the process.

This person would be in a position to understand and speak to how the victim is coping and what the incident was like for them, but would not be as vulnerable to revictimisation if they were contacted repeatedly.

By *defaulting* the involvement of a support person in the process, this becomes the “standard” or “normal” practice, but not the rule– in other words, it would still be the prerogative of the victim to not give the YJ coordinator permission to reach out to a support person.

A series of texts, or *nudge messages*, could remind recipients of the FGC's time and date in the lead up; emphasise the benefits of attending for both the victim and the young person; and show victims where in the process they are. Such texts have seen global success in increasing attendance in other justice contexts. In this context, however, given the importance of not revictimising YJ victims, a support person may be in a better position to receive and act upon nudge texts.





Victims: Change defaults

Design “positive defaults” to standardise YJ coordinator behaviours that enable victim attendance.



Default face-to-face contact



Default payment for transport



Default calls to employers

“I just call them and say who I am, and then ask when they can meet with me.”

- YJ Coordinator

Barriers addressed

- ✗ Feeling presence is not valued or doesn't matter
- ✗ Poor communication → poor understanding of process

Enablers enhanced

- ✓ Feeling like the process benefits and supports them
- ✓ Face-to-face contact with YJC

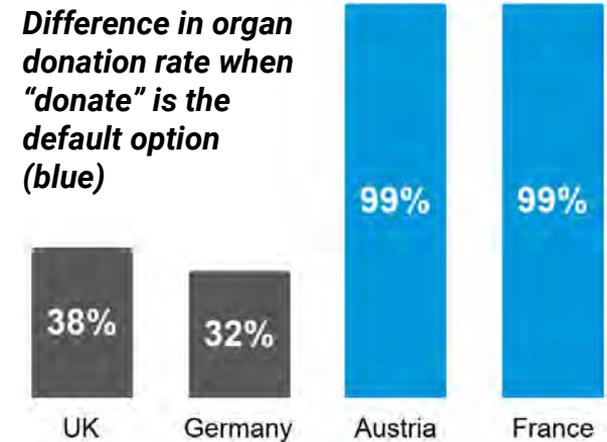


Changing defaults: Deep dive

Defaults are one of the most powerful tools for behaviour change— and a favourite of policymakers, because they don't limit a person by taking options away. Rather, defaults shape the way a decision is made by taking one option and normalising or "preselecting" it. The graph on the right shows the difference in organ donation rates between Austria and France, where organ donation is the default, and the UK and Germany, where not donating is the default option. Different YJ Coordinators across Aotearoa are practising unique behaviours that support victim attendance. From a behavioural change perspective, defaults offer a path to mainstreaming some of these behaviours among coordinators across the country.

The default for most whānau is at least one **face-to-face meeting** with a YJ coordinator before an FGC, but for victims this is much less consistent— even though many coordinators see face-to-face contact as an important part of supporting victim attendance. In their initial phone call to victims, coordinators who *default* face-to-face meetings give a high-level overview of FGCs and then ask the victim when they can meet to talk in person rather than explaining the process completely and asking the victim to give a yes or no over the phone.

Similarly, **paying for transport costs** and **calling the victim's employer** on their behalf to explain the situation and ask for time off for the victim are practised at some sites and by some coordinators, but not by others.



Interventions to support **whānau** attendance

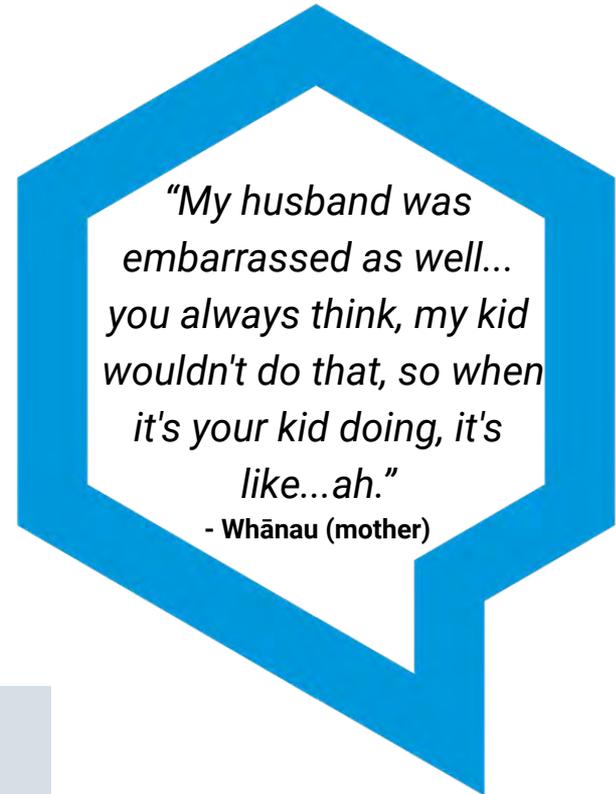


Whānau: Normalise **restorative** justice experiences

Use social norms to change the perception that other whānau will be judgemental if they learn about the situation.



Use positive social norms messaging in communication with whānau to involve other relatives in the process



Barriers addressed

- ✗ Not wanting wider whānau to know about situation

Enablers enhanced

- ✓ Facilitate understanding of process

Normalising **restorative** justice experiences:



Deep dive

Whānau and YJ coordinators agreed that shame about the situation plays an important role in the reluctance of “gatekeeper” whānau members (usually a parent) to get others involved. This is often linked to shame associated with the perception that the wider whānau and community view the transgressions of rangatahi as the result of poor parenting. This idea was expressed by both Māori and non-Māori whānau.

Social norms messaging that reframes the parent’s role within the whānau and within the FGC process could help with this. *Injunctive*¹ norms messaging emphasising that engaging other supportive whānau members is a good or laudable parenting behaviour, or *descriptive*² norms messaging around the number of whānau members that attend other YJ FGCs, could influence a parent or other gatekeeper to bring other whānau in.

1. An **injunctive norm** refers to what the “good” or “favoured” behaviour is; the perception of what one ought to do based on what is preferred by others (for example, if someone thinks that drinking and driving is generally frowned upon by others, that would be an injunctive norm)
2. A **descriptive norm** refers to one’s perception of how others actually behave (for example, if someone thinks that it is common for people in their community to drink and drive, that would be a descriptive norm)



Addressing misunderstandings about YJ FGC objectives

Several participants mentioned concern about the possible outcomes of a YJ FGC as a barrier to attendance. This was partly because of confusion between YJ FGCs and Care and Protection FGCs, the latter of which elicited fear that whānau might lose custody of the young person who had offended or other tamariki.



Whānau: Attract and engage

Use behavioural science principles to make touchpoints with YJ coordinators consistently positive to (1) improve understanding of the process, and (2) build trust



Default delivery personalised invitations and process maps to highlight key messages



Consistently provide appropriate kai

Barriers addressed

- ✘ Discomfort toward or mistrust of Oranga Tamariki

Enablers enhanced

- ✓ For Māori whānau, demonstrated understanding of and respect for tikanga

“When you don’t know what this FGC is, it’s hard to prepare.”

- Whānau (uncle)



Engage and Attract: Deep dive

Once whānau members have been invited, their perception of the YJ coordinator's attitude toward them and of the efficacy of the FGC process itself can significantly influence their decision to attend. This becomes particularly important in FGCs that are reconvened after a rangatahi has reoffended, where participants reported that the number of whānau attendees starts to decline.

Some of this decline may be mitigated by using other engagement tools, such as personalised invitations that highlight key messages about the importance of the recipient's participation and what the next steps in the process could look like.

Some participants reported that having appropriate kai (ie, not just biscuits) was viewed favourably by whānau, both as good etiquette and as a symbol of the significance of the gathering. With this in mind, providing kai could help strengthen the relationship between whānau and YJ coordinators (or Oranga Tamariki more broadly), and support future engagement.

In the COVID-19 context, interventions centring around kai may not be realistic or safe. The principle still holds, however, and YJ coordinators could still express the sentiment by safely delivering packaged food with personalised notes in advance of the FGC. This may also support attendance by inviting reciprocity.





Supporting digital engagement

Adapting interventions to support remote attendance and participation in the age of COVID-19

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Project principles

Increase victim and whānau attendance **and meaningful participation** at YJ FGCs

Build upon te ao Māori ideas and principles

Use behavioural science principles based on empirical research findings from around the world

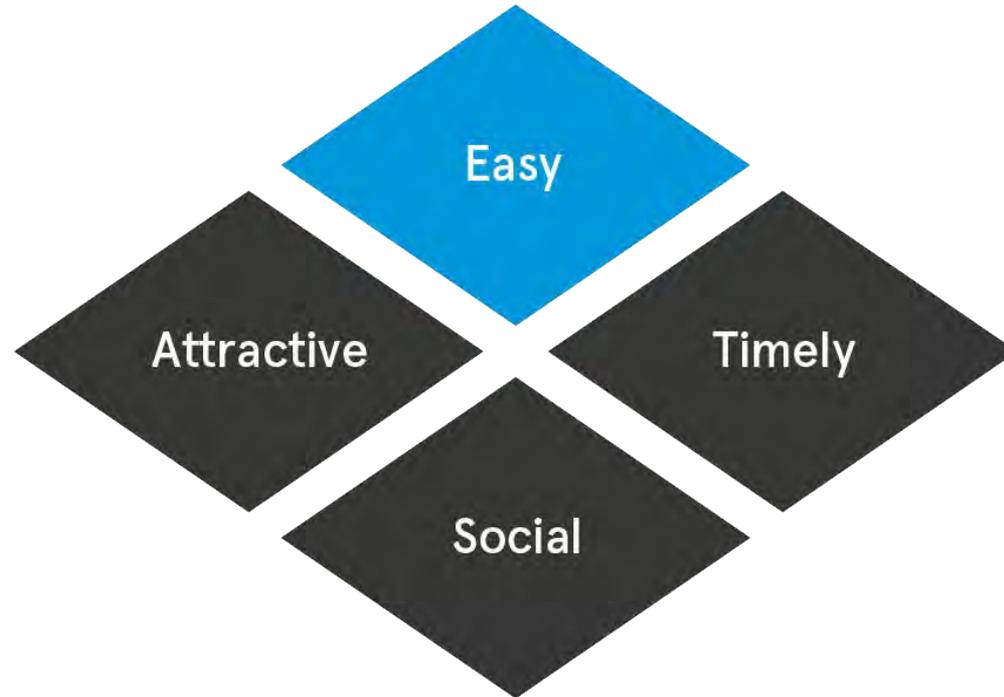
Do not increase workload for YJ coordinators

Support effective remote participation to keep participants safe from COVID-19





Digital engagement involves even more design effort



We behave differently online, which means new challenges (and opportunities!) for FGC participation

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EASY: change defaults, simplify, remove frictions

Online participation removes some attendance frictions, such as the cost and convenience of transport, or having lots of scheduling conflicts. To support attendance, we should also avoid introducing new frictions where possible—frictions such as having to download a new app, or create a new account to participate. For example, early surveys indicate that lots of people are using mobile devices to stay connected during isolation, so using mobile-friendly platforms invites participation by meeting people where they are.

SOCIAL: use norms and networks

Not all means of digital communication are equal. Video calling promotes more connection and empathy than messaging or voice calling on a physiological level, through mirroring. Further, participants may feel less inhibited in online interactions. Opportunities for reciprocity within social groups also change in this context.

ATTRACTIVE: personalise, use good incentives, draw attention

Our attention span is much shorter online, which has implications for whether and how victims and whānau participate in FGCs. Messaging that is as personalised as possible and highlights the importance and benefits of attending will continue to be significant, though outreach mechanisms may look different.

TIMELY: prompt and plan

If potential participants are already using their devices around the time that the FGC is being convened, timely prompts to participate (either to whānau of rangatahi, victims, or whānau of victims) may be particularly effective.



Guidance for facilitating virtual FGCs

In response to New Zealand's Level 4 COVID-19 lockdown and its impact on FGCs, BIT conducted a pro-bono project for Oranga Tamariki.

The resulting guidance note combined YJ and C&P coordinator insights with behavioural science to outline best practices for organising and facilitating FGCs where one or more participants are attending virtually.

The guidance note is available at:

orangatamariki.govt.nz/assets/Uploads/About-us/Research/Latest-research/Virtual-FGCs/Virtual-FGC-guidance.pdf



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Navigating virtual participation

Guidance note on effectively coordinating FGCs with a combination of in-person and virtual participation

The Behavioural Insights Team (BIT) is a global social impact company. They interviewed Youth Justice Coordinators and Care & Protection Coordinators to identify key enablers and barriers to Family Group Conference (FGC) attendance, and in the context of COVID-19 have produced this guidance on how FGCs can best be run with a combination of in-person and virtual participation.

Family Group Conferences and COVID-19

As New Zealand transitions to Alert Level 2 and physical distancing becomes less imperative for some groups of people, the need for coordinators to remotely engage with participants ahead of FGCs and to facilitate FGCs with some or all participants joining virtually – including both phone and video participation – will remain important for months to come.

The following guidance, based on Youth Justice (YJ) and Care and Protection (C&P) coordinator insights combined with behavioural science, can mitigate some of the challenges of virtual coordination:

-  **Build in breaks** to keep participants engaged and alert, and to give yourself an opportunity to check in with individual people
-  **Use waiting periods productively** by anticipating them and giving people activities and tools to help process during these times
-  **Check your tech** ahead of the FGC to ensure that participants (including professionals) feel confident about the platform you'll be using
-  **Be personal** through small acts that symbolise gestures you would have done under normal circumstances
-  **Give people individual attention** when communicating prior to the FGC, particularly for building trust around privacy and confidentiality
-  **Increase pre-FGC communication** by liaising between groups to prevent surprises and enable participants to address the concerns of others
-  **Call out the elephant in the room** to break the ice and invite people to speak up about the challenges of participating virtually



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