PRACTICAL SOCIAL WORK

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The British Association of Social Workers has always been conscious of its role in setting guidelines for practice and in seeking to raise professional standards. The conception of the Practical Social Work series arose from a survey of BASW members to discover where they, the practitioners in social work, felt there was the most need for new literature. The response was overwhelming and enthusiastic, and the result is a carefully planned, coherent series of books. The emphasis is firmly on practice set in a theoretical framework. The books will inform, stimulate and promote discussion, thus adding to the further development of skills and high professional standards. All the authors are practitioners and teachers of social work representing a wide variety of experience.

JO CAMPLING

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To my own children, Hilary and Jeremy, no longer
children in terms of the Act but always mine

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Preface

To offer a book on the Children Act 1989 with it already in operation requires a justification. I have written commentaries on previous legislation, including the 1975 Children Act, within weeks of their passage through Parliament. But the 1989 Act, in many ways such a new beginning, required and deserved reflection and critical appraisal. By publishing now I am able to offer the only book to cover not just the Act but also the large number of Regulations, the new Rules and the very comprehensive Department of Health Guidance, as well as the new edition of *Working Together*. Furthermore, by waiting, an integrated treatment has become possible.

This book puts the Act into a historical context and relates the new concepts, principles and institutions to the sociological research from which they have emerged. The book also contains a fuller treatment of existing case law than the commentaries published earlier. But this is a book about social work and how social workers can use the Act as a resource, and not just a commentary on a complex piece of legislation. Not surprisingly, therefore, part III of the Act on the family support and children in need is the central and the lengthiest chapter, with the principle of partnership given its appropriate emphasis. There is also a very full explication of care, the new minimum conditions and the effects and the most detailed discussion of accommodation and ways of retaining it where there is opposition to so doing.

The book is, it is hoped, constructive and practical. It offers guidance and it is not afraid to criticise. The Act was greeted with euphoria and, as yet, there has been all too little critique of it. By relating the Act to its history and ideology, I hope to be offering a book of value to the student of social administration, social policy and law. But it is primarily a guide to practice under the Act, drawing attention to problems, to pitfalls and to possible solutions.

Although, in a series entitled Practical Social Work, I have no doubt that the book will be of value to lawyers as well, both those in private practice and in legal centres as well as to local authority lawyers and those who work for voluntary organisations. This is

one of the reasons for including a large number of legal references. But, with the primary audience being the social work profession and allied helping professions, the intention has been to make the book as jargon-free as is compatible with accurate and insightful presentation.

I hope I have brought to this book my experience as a children's rights campaigner as well as my expertise as a lecturer and trainer within the legal and social work profession. Many of the ideas in this book have been tested in the many lectures I have given on the Children Act to audiences of social workers, solicitors, the police and educationalists up and down the country and, indeed, as far away as New Zealand, where I lectured on comparisons between our new law and theirs, generally regarded as even more radical. Naturally, I have learnt a lot from comments made and questions asked and am grateful to those who assisted in this way.

It is normal to send out the manuscript of a book to interested colleagues and other professionals. I would have liked to do so, but the financial constraints at University College London, where I teach, no longer make this possible. They also meant that I was teaching fifteen hours a week whilst writing the book. Perhaps 'academic abuse' is about to be discovered!

I am grateful to all those who have assisted with the preparation of this book, including those who have given permission to quote them. My wife's support was invaluable: her work with children going back to the days when there were child care officers and now her work with the mentally handicapped provided me with insights which gave the book additional value. The manuscript could not have been produced without the patience and care of Edith Ray and to her I offer my sincerest gratitude.

The book was completed on Christmas Eve 1991 (it would not be diplomatic to say when it was started!) The law is stated as at that date, though it has been possible to include a few later references.

MICHAEL D. A. FREEMAN