LAW AND THE SOCIAL WORKER

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LAW AND THE SOCIAL WORKER

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Contents

<i>Preface</i>	ix
1 <i>The Legal System</i>	1
Introduction	1
Rules of Law	1
Jurisdiction	5
Costs and Legal Aid	9
2 <i>The Social Worker and the Court</i>	14
Introduction	14
Evidence in Criminal Proceedings	15
Evidence in Civil Proceedings	19
Silence as Evidence	21
Procedure in the Courtroom	22
Reports for the Courts	27
Conclusion	31
3 <i>Powers, Duties and Responsibilities</i>	34
Introduction	34
General Legal Powers	35
Confidentiality	39
Vicarious Liability	43
Conclusion	44
4 <i>Juveniles: Prevention and Voluntary Action</i>	45

Introduction	45
Preventive Action	45
Voluntary Care	47
Supervision	53
5 <i>Juveniles: Compulsory Treatment</i>	64
Introduction	64
Assumption of Parental Rights	65
Care Proceedings	71
Place of Safety Orders	83
Place of Safety Warrant	86
Criminal Proceedings	88
Conclusion	91
6 <i>Adoption</i>	93
Introduction	93
Capacity	93
Placing for Adoption	95
Actual Custody	97
Supervision and Inspection	98
Consents	100
Freeing Child for Adoption	101
Dispensing with Consent	102
Consent of Spouse	107
Consent of Other Natural Parent	107
The Guardian <i>Ad Litem</i>	108
The Hearing	112
7 <i>Mental Health</i>	114
Introduction	114
Mental Disorder	114
Compulsory Admission to Hospital	116
Discharge from Hospital	121
Mental Health Review Tribunal	123
Guardianship	127
The Criminal Courts	128
The Powers and Duties of the Social Worker	131
8 <i>Marriage Breakdown</i>	134
Introduction	134

The Magistrates' Court	134
The Divorce Court	140
Involvement of the Social Worker	144
Conclusion	148
<i>Further Reading</i>	149
<i>Index</i>	151

Preface

Having lectured for some years on the legal aspects of social work on such courses as the M.A. in Social Administration, the Diploma in Social Work and various regional and in-service training courses for social workers I have become increasingly aware of the need for an introductory book in this area. In response to the demand from past and present students I embarked on the task of writing such a book as a basic introduction in, I hope, a readable style.

Limitation on space and the need to suit the pocket of the student and unqualified social worker decreed that despite genericism in social work there had to be selectivity in the book. The accent, therefore, is on 'professional law' as described by the Central Council for the Education and Training of Social Workers – that is, the legal framework within which social workers function and the basic legal rules which govern their activities as such. Scant attention is paid to advisory law as I consider there is some danger in attempting to advance beyond the frontiers of professional law in a basic training course, and in that area even a little legal learning can be more dangerous than useful. Nevertheless, because of the increasing direct involvement of social workers in matrimonial disputes where the welfare of children is in issue I have inserted a short chapter on marriage breakdown.

A major distraction to social workers attempting to gain some legal knowledge by studying legal textbooks is the abundance of footnotes citing authorities for statements made by the author. I have therefore accepted the challenge of writing a book which does not attempt to be

a *legal* book and which does not contain footnotes, albeit cross-references in the text are unavoidable. The book does not aspire to be a vade-mecum for all social workers confronted with a legal problem, but rather a work to be read before embarking on legal study in depth.

I make no apology for the attention paid to evidence and court procedure; I believe that a *basic* knowledge of the rules governing admissibility of material in court and of the procedure in the inferior courts is essential to every social worker even though his involvement in such proceedings may be indirect. Although he may never appear as a party or as a witness he should nevertheless be aware of the rules governing the activities of his colleagues and of other social workers fulfilling a role different to his own.

Some questions are raised and left unanswered; in some areas discussion in greater depth will be required; but provided the basic problems are mentioned and occasionally the reader's appetite is whetted then I think a primary objective has been realised.

I hope that this short book will be helpful to trainees and other social workers as well as being worth reading for magistrates, their clerks and all those who have interest or involvement in this area of activity. Its conception was the result of feedback from social workers on initial training courses and in practice; its gestation and birth were greatly assisted by the patience and tolerance of its publishers. For any genetic and perinatal defects I accept full responsibility.

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B. L. RAISBECK