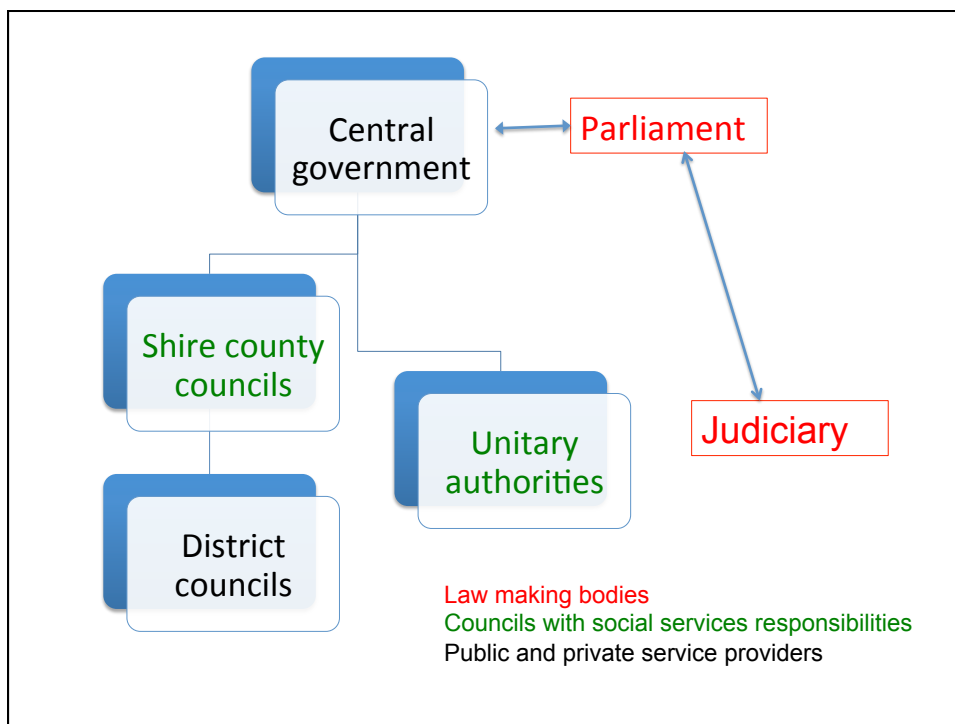


Three kinds of legal rules

Statutory powers and duties for social workers

Rights and entitlements for individuals

Rules that hold social workers to account



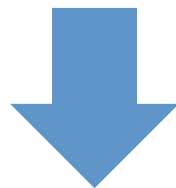
1. The place of law in social work is contested

Seen as a core component of professional knowledge and skills

They must be able to “practise within the legal and ethical boundaries of their profession” HCPC

They must understand

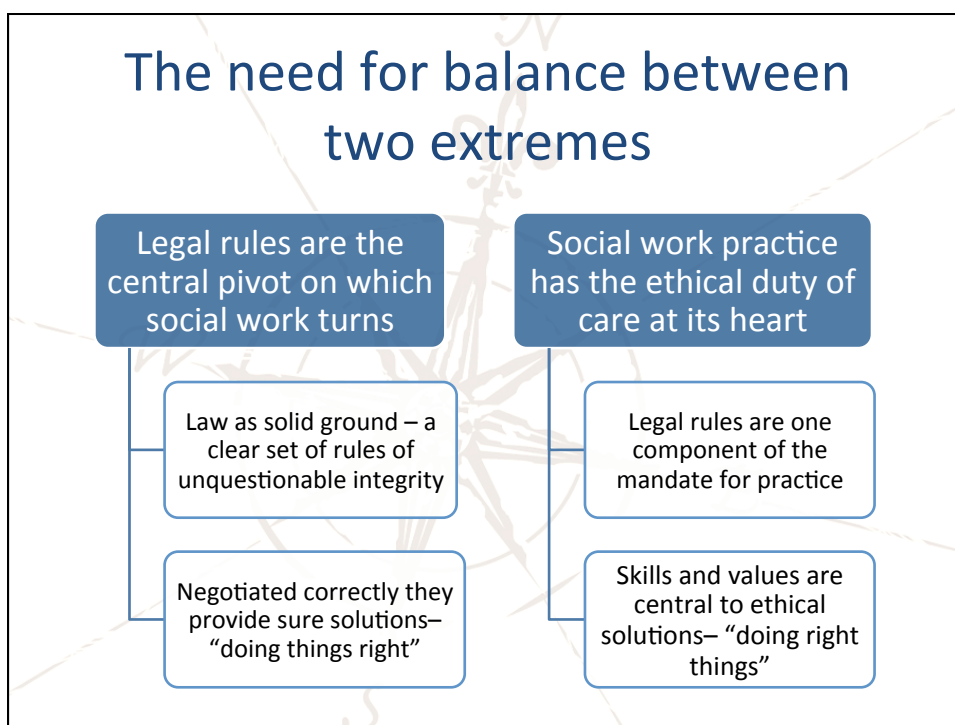
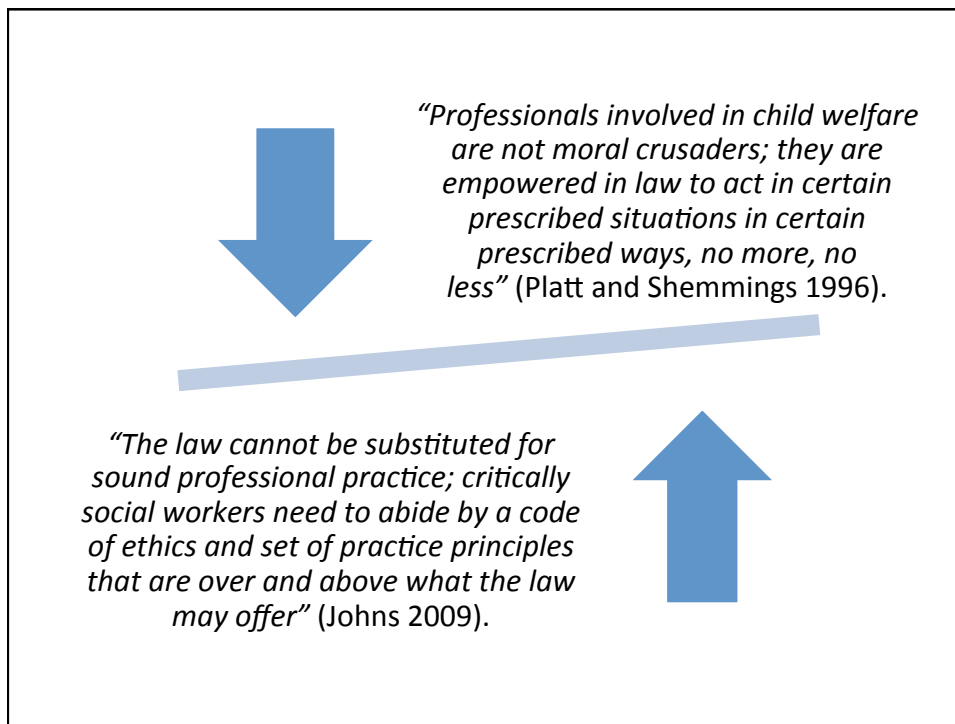
- “the legal and policy frameworks that inform and mandate social work practice,”
- “how legislation and guidance can advance or constrain people’s rights, how the law may be used to protect or advance rights and entitlements” TCSW



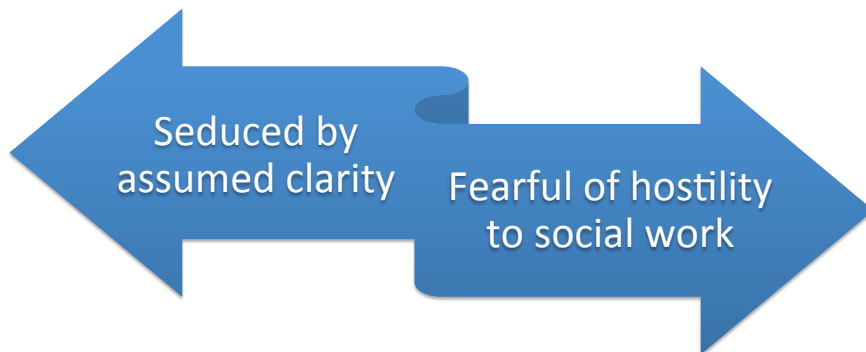
“We are strongly of the view that social work can, in fact, be defined only in terms of the functions required of its practitioners by their employing agency operating within a statutory framework” (Blom Cooper 1985)

“The image of the social worker as 'agent of the law' is partial and dangerous it encourages a view of professional competence which rests solely or mainly on an ability to interpret and execute legal requirements”; “at the heart of social work is an ethical duty of care” (Stevenson 1986)

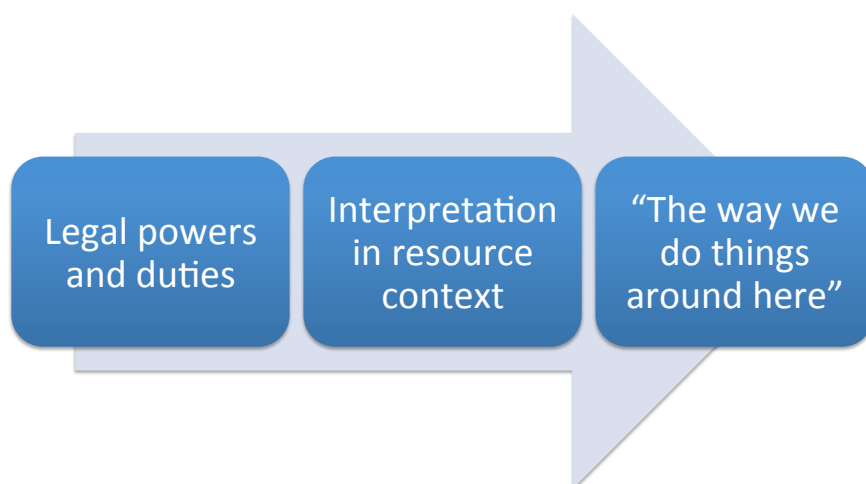




2. Social work ambivalence about law



3. Practitioners' reliance on employers' procedures



What's going on here?

Social work in a risk society

- Technologies of care
- Legalism

Nature of the legal rules

- Oppression
- Silence

Practice context

- Bureaucratic constraints

- *“Legalism ... involves the superimposition of legal duties and rights upon therapeutic and preventive responsibilities ... the rule of law as judged by the court takes priority at the expense of other considerations, including that which might be deemed by the professionals as optimally therapeutic or in the best interests of the child” (Parton 1991).*



LAND FEATURES

- Electricity transmission line (pylons shown at standard spacing)
- Pipe line (arrow indicates direction of flow)
- Buildings
- Public building (selected)
- Bus or coach station
- Place of worship (with tower, with spire, minaret or dome, without such additions)
- Chimney or tower
- Glass structure
- Heliport
- Triangulation pillar
- Mast
- Wind pump / wind generator
- Windmill with or without sails
- Graduate intersection at 5' intervals
- Cutting / embankment
- Quarry
- Spill heap, refuse tip or dump
- Coniferous wood
- Non-coniferous wood
- Mixed wood
- Orchard / Park or ornamental ground
- Forestry Commission access land
- National Trust-always open
- National Trust-limited access, observe local signs
- National Trust for Scotland

ROADS AND PATHS

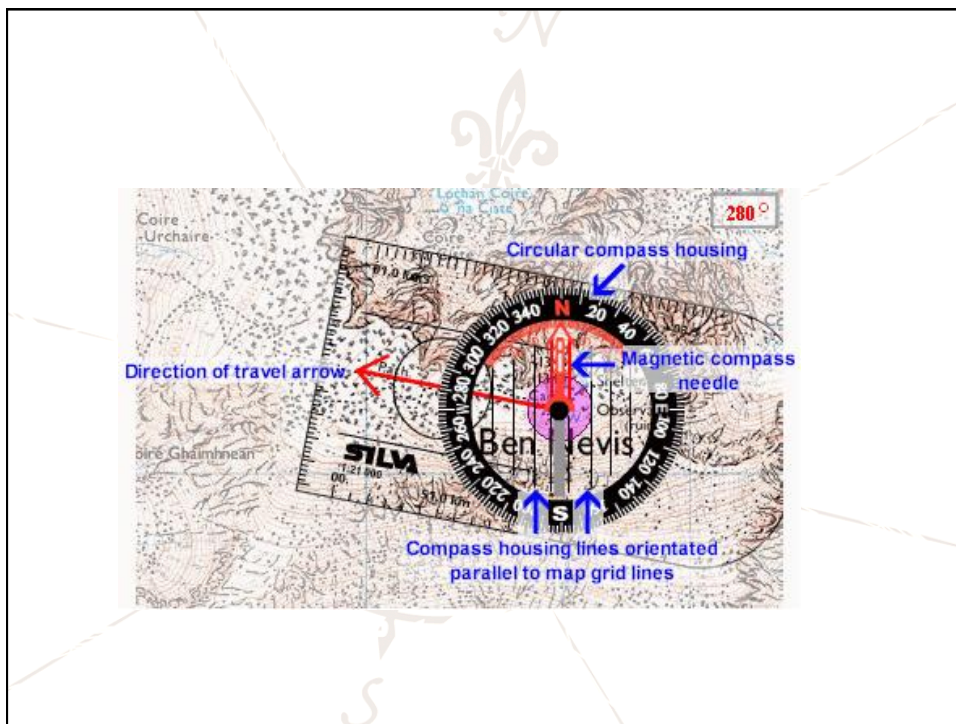
- Service area
- Junction number
- Elevated
- M1
- Unfenced
- A 470
- A 493
- B 4518
- A 855
- Bridge
- B 885
- Ferry P
- Ferry V

Not necessarily rights of way

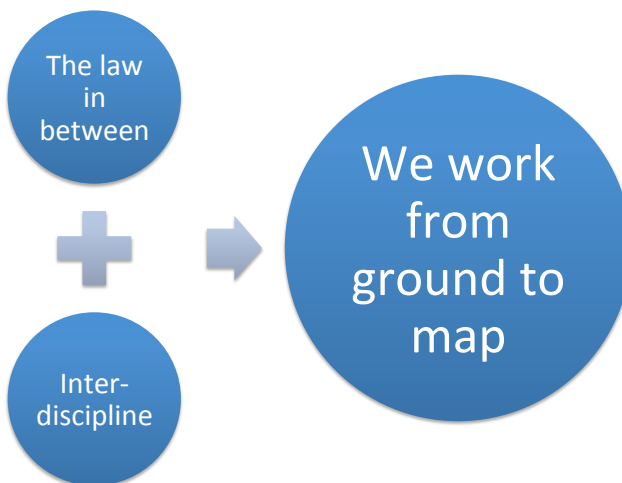
- Motorway (dual carriageway)
- Motorway under construction
- Primary Route
- Main road
- Primary Route / Main road under construction
- Secondary road
- Narrow road with passing places
- Road generally more than 4m wide
- Road generally less than 4m wide
- Path / Other road, drive or track
- Gradient: 20% (1 in 5) and steeper, 14% (1 in 7) to 20% (1 in 5)
- Gates / Road Tunnel
- Ferry (passenger) / Ferry (vehicle)

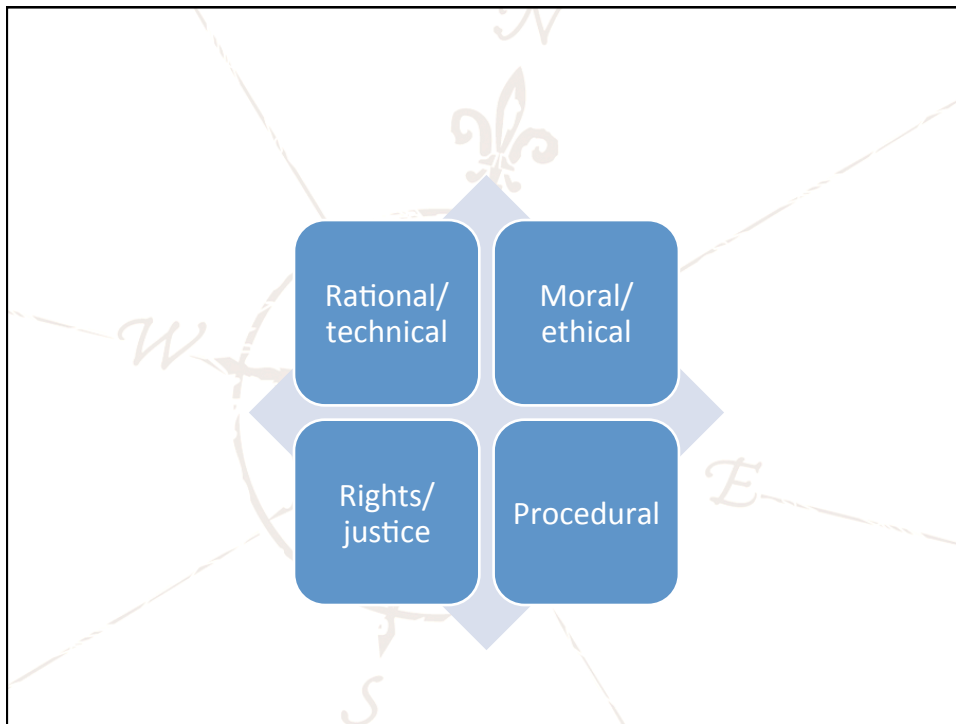
WATER FEATURES

- Marsh or salting
- Towpath
- Lock
- Ford
- Beacon
- Sand
- Dunes
- Cliff
- Shingle
- Lighthouse (in use)
- Lighthouse (disused)
- Low water mark
- High water mark
- Mud
- Flat rock
- Footbridge
- Bridge
- Normal tidal limit
- Weir
- Aqueduct
- Lake
- Canal (dry)



The map and the territory





Law literacy

The distillation of knowledge, understanding, skills and values that enables practitioners to connect relevant legal rules with the professional priorities and objectives of ethical practice

Skills

Legal Knowledge

Values

Law literacy

The building blocks

Critical exploration of the role of law in society and of its relationship with social work

Technical knowledge

Communicative engagement

Beyond powers and duties

Sources of legal rules

Administrative law

Research skills

References from these slides

(please see the text copy of the lecture for a full reading list)

Slide 5

- HCPC is the Health and Care Professions Council, which regulate the social work profession by setting standards of practice and a code of conduct, and by registering individual social workers
- TCSW (slide 3) is the College of Social Work, the body that provides a voice for the social work profession. It has produced a Professional Capabilities Framework showing the capabilities of social workers throughout the career levels

Slide 6

- Blom-Cooper, L. (1985). *A child in trust: the report of the Panel of Inquiry into the Circumstances Surrounding the Death of Jasmine Beckford*. London, HMSO.
- Stevenson, O. (1986) 'Guest editorial on the Jasmine Beckford Inquiry', *British Journal of Social Work*, 16, 501-510.

Slide 7

- Platt, D. and Shemmings, D. (1996) *Making Enquiries into Alleged Child Abuse and Neglect: Partnership with Families*. London: Wiley.
- Johns, R. (2009) *Using the Law in Social Work*. Exeter: Learning Matters.

Slide 12

- Parton, N. (1991) *Governing the family: child care, child protection and the State*. London: Macmillan Education.