



SOCW3006

Socio-Legal Practice in Social Work Settings

Term Three // 2020

Course Overview

Staff Contact Details

Convenors

Name	Email	Availability	Location	Phone
Linda Bartolomei	linda.bartolomei@unsw.edu.au	Mondays 1pm - 3pm	171 Level 1 Morven Brown Building	02 9385 1959

Lecturers

Name	Email	Availability	Location	Phone
Jane Dennis	jane.dennis@unsw.edu.au	Please email to make an appointment	Online	

Tutors

Name	Email	Availability	Location	Phone
Tim Wong	tim.wong@unsw.edu.au	By arrangement		
Dominic Van Gestel	d.vangestel@unsw.edu.au	By arrangement		

School Contact Information

School of Social Sciences

Room 159

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Course Details

Credit Points 6

Summary of the Course

In this course you will explore the legal, professional, and ethical opportunities and constraints of social work practice. Drawing on practice informed case studies, lectures and tutorials will provide the opportunity for you to consider the tensions and dilemmas of socio-legal practice through an examination of social work interventions in select settings. Attention is paid to legal systems, legal concepts, lawmaking processes, sources of socio-legal assistance and interactions between social workers and lawyers.

Course Learning Outcomes

1. Explain a range of interactions between social work practice and the law.
2. Identify and analyse the differences and convergences between methods of conflict resolution in legal and welfare settings.
3. Evaluate the respective roles of values and ethics in socio-legal practice in social work settings.
4. Apply basic legal knowledge and apply social justice principles in the analysis of a range of socio-legal contexts.

Teaching Strategies

In accordance with UNSW Learning and Teaching Guidelines this course intends to engage students in learning by providing opportunities to directly observe legal processes via a visit to a court/tribunal and the examination of actual socio-legal practice examples in lectures and tutorials. In particular, methods of conflict resolution, such as advocacy, negotiation and mediation, and their associated skills will be contextualised in both legal and welfare settings. In tutorials, students are encouraged to discuss their experiences of Practicum/Volunteer and employed positions in relation to social work/welfare interventions in legal settings.

As course coordinators, we believe that students can maximise their learning in this course by attending both lectures and tutorials regularly, completing required reading before the tutorial class and by participating in discussion in both lectures and tutorials. A number of guest lecturers will provide expert information which is intended to increase student engagement and interest as well as ensuring a range of professional experiences and skills is presented for student consideration. Where possible, basic PowerPoint slides will be available after the lecture.

Assessment

Assessment Tasks

Assessment task	Weight	Due Date	Student Learning Outcomes Assessed
Short Reflective Writing	15%	TBC	1
Court Report	35%	TBC	1,4
Analysis of Context and Practice	50%	TBC	1,2,3,4

Assessment Details

Assessment 1: Short Reflective Writing

Start date:

Length: 750 words

Details:

A 750 assignment on topics relevant to the course. Students are given written feedback within two weeks of submission.

Turnitin setting: This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Assessment 2: Court Report

Start date: Not Applicable

Length: 1,200 words

Details:

A 1,200 report on topics relevant to the course. Students are given written feedback within two weeks of submission.

Turnitin setting: This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Assessment 3: Analysis of Context and Practice

Start date:

Details:

A 2000-word assignment on a topic relevant to course material. Students are given written feedback within two weeks of submission.

Turnitin setting: This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Attendance Requirements

- Lectures in this course are designed to provide essential learning, this means you must attend or listen to all 9 lectures which are being offered synchronously as well as being recorded in T3. If you miss or do not catchup on lectures you will struggle to complete and pass the course assignments
- Tutorials are designed to provide essential application of content; this means you must attend 80% or more of the tutorials which are being offered face to face/synchronously online in T3.

If you are unable to attend a tutorial, you must email your course tutor at your earliest convenience. If you attend less than 80% of tutorials, you may be refused final assessment. This means that if you do not attend at least 80% of possible tutorials your final assignment may receive a mark of zero. You are responsible for keeping track of your attendance and contacting your course convenor Dr Linda Bartolomei immediately if you are concerned about your attendance record and its impact on your ability to complete your course successfully. For the purpose of attendance monitoring, the final assessment for this course is the Final Essay worth 50% of your overall grade for this course. This is the assessment item that will be graded at zero if you do not meet the attendance requirement.

Course Schedule

[View class timetable](#)

Timetable

Date	Type	Content
Week 1: 14 September - 18 September	Lecture	Part 1: (Linda Bartolomei) <ul style="list-style-type: none"> • Introduction to the Course and Assessment requirements • Understanding the Role and Functions of the Law and the Socio-legal Relationship and Socio-Legal Interventions Part 2: (Jane Dennis) The Australian Legal System - Court System Alternative Forms of Justice Tribunals and Commissions, Legal Aid and Assistance.
	Tutorial	Identifying and exploring socio-legal interventions in preparation for the first assessment.
Week 2: 21 September - 25 September	Lecture	Criminal Law – Social Work Role and Responsibilities
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 3: 28 September - 2 October	Lecture	Part 1: Tort law and negligence – Professional responsibilities

		<p>Social Work Duty to Care, Duty of Care, Duty to Warn</p> <p>Part 2: Socio-legal Practice in Health Care Settings</p> <p>Part A: The Socio-legal Role in Mental Health care</p>
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 4: 5 October - 9 October	Lecture	<p>Socio-legal Practice in Health Care Settings-Continued</p> <p>Part B : Autonomy; Informed consent; and Decision-making Capacity</p> <p>Adult Guardianship in New South Wales</p>
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 5: 12 October - 16 October	Lecture	<p>Balancing confidentiality, advocacy, accountability and safety issues</p> <p>Recording and report writing</p> <p>Preparing for Assignment 2: Court/Tribunal Report</p>
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 6: 19 October - 23 October	Reading	<p>Flexibility week</p> <p>There are no scheduled classes this week. See Moodle for optional additional readings and video links</p>
Week 7: 26 October - 30 October	Lecture	<p>Part 1: International Law and Human Rights</p> <p>Part 2: Anti-Discrimination and Anti-Vilification Legislation</p>
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 8: 2 November - 6 November	Lecture	First Nations People and Communities and the Law
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 9: 9 November - 13 November	Lecture	<p>Lecture Part 1 The Law and Domestic and Family Violence (DFV) and Sexual Assault</p> <p>Part 2A: Child Protection and Out of Home Care and B. Conflict Resolution/Alternative Dispute Resolution/Mediation</p>

	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings
Week 10: 16 November - 20 November	Lecture	Lecture Refugees, Asylum Seekers and the Law Refugee re-settlement in Australia – a consideration of socio-legal issues
	Tutorial	Interactive case study discussion linked to the lecture topic and informed by the set readings

Resources

Prescribed Resources

Course text

Chris Maylea, (2020) Social Work and the Law: a guide for ethical practice, Red Globe Press, London.

This can be purchased from the UNSW Bookshop in online or hardcopy format.

Hard copy: <https://www.bookshop.unsw.edu.au/details.cgi?ITEMNO=9781352008364>

Online: <https://www.vitalsource.com/en-au/products/-v9781352008371>

Weekly readings including several key chapters from the prescribed and recommended texts will be available on Leganto via Moodle.

Recommended Resources

Recommended Text

Simon Rice and Andrew Day [Eds.] (2018) Social Work in the Shadow of the Law Federation Press, Annandale.

Available in hard copy from the UNSW

bookshop: <https://www.bookshop.unsw.edu.au/details.cgi?ITEMNO=9781760021>

You are expected to use the UNSW Library: <http://www.library.unsw.edu.au> .

You will benefit from using GoogleScholar (<http://scholar.google.com>) as a key search engine for academic publications and reports. You can set up the preferences to link to the UNSW Library even when you are not on campus.

Go to Google Scholar> settings> library links, and enter 'University of New South Wales' in the box for "Library":

You can sign up for Table of Contents (TOC) Alerts from the homepages of relevant journals, to receive an email whenever new articles are published in that journal. Journal websites will often carry information on the most viewed and most cited articles; these are likely to be interesting and often influential contributions. Google Scholar will also point you to articles that have cited a particular article and hence will be related to the topic.

In addition to the readings on Moodle there are a number of other resources that students may wish to consider for more detailed information and their assessments:

- The law handbook: your practical guide to the law in New South Wales

All chapters are from the 13th edition of The Law Handbook provided by Thomson Reuters for publication on the Find Legal Answers website. This edition is up to date as of October

2014. Available at: http://www.legalanswers.sl.nsw.gov.au/guides/law_handbook/

- The Australian Law Reform Commission and the NSW www.alrc.gov.au/ . The Federal Australian law reform body that has instrumental in recommending reforms to law since 1975. There are also different Law Reform Commission's in various State jurisdictions which also produce many interesting reports on legal matters.
 - The Law Society of NSW produces a regular journal, The Law Society Journal. <https://www.lawsociety.com.au/resources/journal/index.htm>
 - The Alternative Law Journal, is published regularly by the Legal Service Bulletin www.altlj.org
 - Human Rights and Equal Opportunity Commission - <http://www.hreoc.gov.au/> - current information about human rights issues and legal/policy responses in key areas
 - The State Library has a Legal Information Access Centre, which is an extremely useful source of legal and socio-legal information. (<http://www.sl.nsw.gov.au/liac>)
 - Lawsearch ONLINE (www.lawsearch.gov.au) provides access to Commonwealth legislation and related materials.
 - Australasian Legal Information Institute (AustLII) is an excellent source of current legal information (<http://www.austlii.edu.au>)
 - Law Society Online (Assistance with common legal problems) – (<http://www.lawsonsw.au/legalhelp>)
 - SCALEplus (Federal Attorney General's database of legal data on the internet) – (<http://www.law.aps.gov.au>)
 - Indigenous Law Centre publishes Australian Indigenous Law and the Indigenous Law Bulletin – (<http://www.unsw.edu.au>)
- Australian National Research Organisation for Women's Safety (ANROWS) has an excellent collection of articles investigating legal issues in responding to violence against women www.anrows.org.au/

Australian Centre for the Study of Sexual Assault has excellent resources in relation to gendered violence – www.aifs.org.au/acssa

Course Evaluation and Development

Feedback from students has helped to consolidate the choice of lecture topics covered this year as well as last year introducing more content on what constitutes a socio-legal intervention. Further feedback will be gathered periodically using, among other means, UNSW's Course and Teaching Evaluation process and through less formal channels such as email and small group feedback throughout the course. Student feedback is taken seriously, and continual improvements will be made to the course based in part on such feedback.

A significant change made this year was to replace the assessed student-led tutorial discussions with tutor led critical case study discussions. This has also enabled a small assessment to be set early in the Term so that students receive written feedback on their progress much earlier in the course.

Submission of Assessment Tasks

Turnitin Submission

If you encounter a problem when attempting to submit your assignment through Turnitin, please telephone External Support on 9385 3331 or email them on externalteltsupport@unsw.edu.au . Support hours are 8:00am – 10:00pm on weekdays and 9:00am – 5:00pm on weekends (365 days a year). If you are unable to submit your assignment due to a fault with Turnitin you may apply for an extension, but you must retain your ticket number from External Support (along with any other relevant documents) to include as evidence to support your extension application. If you email External Support you will automatically receive a ticket number, but if you telephone you will need to specifically ask for one. Turnitin also provides updates on their system status on Twitter.

Generally, assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment. In instances where this is not possible, it will be stated on your course's Moodle site with alternative submission details.

For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

Copying: using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This also applies to images, art and design projects, as well as presentations where someone presents another's ideas or words without credit.

Inappropriate paraphrasing: Changing a few words and phrases while mostly retaining the original structure and/or progression of ideas of the original, and information without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.

Collusion: working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student before the due date, or for the purpose of them plagiarising at any time, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.

Inappropriate citation: Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.

Duplication ("self-plagiarism"): submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

Correct referencing practices:

- Paraphrasing, summarising, essay writing and time management
- Appropriate use of and attribution for a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre (<http://www.lc.unsw.edu.au/>). Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items.

UNSW Library also has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose
- better manage your time

- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

Some of these areas will be familiar to you, others will be new. Gaining a solid understanding of all the related aspects of ELISE will help you make the most of your studies at UNSW.

<http://subjectguides.library.unsw.edu.au/elise/aboutelise>

Academic Information

For essential student information relating to:

- requests for extension;
- late submissions guidelines;
- review of marks;
- UNSW Health and Safety policies;
- examination procedures;
- special consideration in the event of illness or misadventure;
- student equity and disability;
- and other essential academic information, see

<https://www.arts.unsw.edu.au/current-students/academic-information/protocols-guidelines/>

Image Credit

Global Refugee Forum at the UN in Geneva, December 2019. Photo by Linda Bartolomei, UNSW

CRICOS

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Acknowledgement of Country

We acknowledge the Bedegal people who are the traditional custodians of the lands on which UNSW Kensington campus is located.