

KNOWLEDGE EXCHANGE SEMINAR SERIES



Improving court work skills in child care proceedings.

Dr Nicola Carr, Dr Karen Winter, Mrs Aine Maxwell and Dr Melissa McCullough,
Queen's University Belfast

n.carr@qub.ac.uk and k.winter@qub.ac.uk

1. Inter-professional court work skills in child care proceedings

This training initiative has been developed in response to a recognised need to develop students' knowledge and skills in court work. There is evidence that some newly qualified social workers and medical practitioners feel ill equipped to undertake their roles and responsibilities effectively in the court work setting (CWDC, 2009; Bates, Natalie et al. 2009)ⁱ. Furthermore in the light of recent concerns about professional practice in safeguarding children (SWTF 2009, 2010; Munro 2010, 2011)ⁱⁱ the training of professionals and support for them to work effectively in court settings is increasingly dominating the policy agenda.

Deficits in inter-agency working including inadequate information sharing, poor communication and unclear accountability, have been highlighted in a range of inquiries into child deaths and serious incidents (e.g. *The Victoria Climbié Inquiry (2003)*, the *Baby P Inquiry*, and the *McElhill Inquiry, 2008*).ⁱⁱⁱ Furthermore given concerns about inter-agency practice in safeguarding children (Munro 2010, 2011) the training of all professionals to work effectively in court settings is increasingly dominating the policy agenda. In Northern Ireland the publication of the *Access to Justice Review (2011)* and the roll-out of new guidelines for

the *Case Management of Public Law Proceedings (2009)*, have highlighted the need for professionals to be adequately trained to carry out their role in the court setting.

All of these factors have particular implications for professionals working in court settings. Most immediately and practically, there is an expectation that social work, medical and legal professionals are equipped with the necessary knowledge, skills and values to understand their own role and function to work effectively in this setting.

1.1 Equipping students for court practice in the context of child protection

In response to the identified education and training need an inter-disciplinary court work training initiative has been developed in partnership by the Centre for Medical Education, the School of Sociology, Social Policy and Social Work and the Institute of Professional Legal Studies at Queen's. The joint-training programme brings together expertise from these disciplines. It focuses on developing student skills in the area of court work practice in child welfare and criminal justice proceedings. The programme aims to develop student skills in advocacy, giving evidence and dealing with cross-examination in cases involving child protection and welfare issues and criminal justice proceedings.

The programme involves a variety of teaching delivery methods including lectures, tutorials, workshops and access to online resources. It is supported by the involvement of tutors who currently practice in court settings in Northern Ireland and have a wealth of work related expertise providing students access to the most up-to-date practice knowledge. The joint-training programme begins with a briefing sessions for all students. Staff from the different disciplines provide information on the purpose of the joint-training programme, for example social work staff brief the bar trainees alongside colleagues from the Institute of Professional Legal Education and so forth. The briefing sessions set out the context and purpose of the training and provide students with a forum to ask questions.

Social work students are provided with in-depth case material, which is fictionalised but drawn from real-life practice. With tutorial support over the course of 6-weeks social work students are required to analyse and assess this material and to complete a report for court based on templates used in current practice in Northern Ireland. The social work student must prepare a care-plan for a child and make a recommendation to court regarding the child's future care.

The case material also involves input from a fictional GP who has also had some involvement with the child in this case. Medical students receive a briefing from staff in the Institute of Professional Legal Studies on the legal issues in the case and the circumstances

in which they would be called to give evidence. A short report for court based on medical evidence is also submitted to the 'mock court'. Following completion of the report, the reports are then sent to the bar-trainees who with teaching support conduct a case-analysis of the evidence. Bar trainees are supported to devise cross-examination questions and to assess the evidence in the case.

The students then meet to discuss the case and to conduct a 'mock' court case, where in this instance the bar trainee acts for the party who is opposing the social work recommendation. This process is conducted in a workshop format and facilitated by qualified barristers and social work practitioners who provide in-depth feedback to students on their performance in the 'witness box'. Students are prepared for these workshops in advance and watch recordings of the workshops afterwards to aid further learning.

2. The importance of inter-professional education

To date inter-professional approaches to education of students in Northern Ireland has been limited. Elsewhere, inter-professional education is widely embedded in a health and social care curricula (General Medical Council, 2002; Thistlewhaite and Nisbet, 2007)^{iv}. Some key elements for effective inter-professional education have been identified. Students should be adequately prepared and the importance on inter-disciplinary working should be embedded throughout the curriculum (Barr et al, 2005)^v. Mandy et al (2004)^{vi} outline that stereotypes of other professions can be a barrier to effective working. One of the underlining rationales for this type of education approach is to work towards challenging such stereotypes. Whilst the literature shows inter-professional education initiatives with varying groups of students, there is little evidence relating to inter-professional education between medical and social work students and the legal profession; much is between medical and nursing students. Yet, it is important for these three professions to communicate effectively and understand each other's role for patient and client care and safety.

The benefits of an inter-disciplinary approach are particularly evident when working with Individuals and families with a range of complex needs, and who have contact with multiple services. This is particularly apposite in the area of child protection and welfare (Sloper, 2004).^{vii}

2.1 Evaluating the initiative

This year the teaching team will evaluate students' inter-professional practice development over time by asking students to complete a short, anonymous online measure - the 'Readiness for Inter-professional Learning Scale' (RIPLS). This is a validated questionnaire

used in previous studies of inter-professional education (Parsell and Bligh, 1999).^{viii}

Participating students will be asked to complete the questionnaire at three intervals (pre and immediately post-training and again at a 3 month follow-up). To date students have completed two phases of this questionnaire and they have also provided further qualitative feedback. Students from across the three participating disciplines have highlighted the benefits of inter-professional education in this complex area of practice. The following quotes provide a sense of what students found most beneficial about the process:

The opportunity to cross-examine witnesses who were not colleagues and also the chance to get feedback and deal with problems as they arose. (Trainee Barrister)

I am now more aware, with the benefit of an experienced QC's opinion, of the role of the judge during proceedings, especially being given some hints and assurances around how to manage the process with the help of a judge. (Student Social Worker)

The opportunity to work with members of other professions who I will be interacting with in the future when I graduate and begin practising. I also feel that i have gained a greater insight into a very important side to medical practice (child protection issues) (Medical Student)

It is hoped that alongside conventional module evaluation and student feedback mechanisms that this method of gauging student feedback and learning will provide rigour for future developments.

3. Moving forward

Following the success of the course at undergraduate level an inter-disciplinary course has been developed for qualified practitioners. Queen's University has accredited this course as a post-graduate Masters level module and the Northern Ireland Social Care Council (NISCC) has approved the module as a specific post-qualification award for social workers. The Northern Ireland Post Qualifying Education and Training Partnership will also award CPD (Continuous Professional Development) credits for this course.

The success of future training and education in this area depends on keeping up to date with practice developments and issues arising from court proceedings. The teaching team are also in the process of establishing a liaison forum with family court judges regarding ongoing practice issues, and areas for further development. The ultimate goal of this programme, both at undergraduate and post-qualification levels, is to equip practitioners to fulfil their

roles to the highest possible standard in the complex and contested area of the court setting so that better outcomes are achieved for children, young people and their families.

Biographies:

Dr Karen Winter is a lecturer in the School of Sociology, Social Policy and Social Work, Queen's University Belfast. She teaches social work in criminal justice system and the courts and critical early childhood studies to doctoral students. She has previously worked as a social worker, team manager on a child protection team and as a Guardian ad Litem representing children in public law cases. Since beginning her lectureship in June 2007 Dr Winter has been involved in research and writing regarding young children in public care.

Dr Nicola Carr is a lecturer in the School of Sociology, Social Policy and Social Work, Queen's University Belfast, where she teaches social work in criminal justice system and the courts. She has previously worked as a social worker and probation practitioner. Prior to her current post she was a Research Fellow in the Children's Research Centre, Trinity College, where, with colleagues she been involved in a range of funded research projects, including an evaluation of the Irish child protection system. Dr Carr is a member of the Child Death Review Panel in the Republic of Ireland.

Mrs Aine Maxwell is a Solicitor and a Senior Teaching Fellow at the Institute of Professional Legal Studies where she teaches Company Law, Wills, Practice Management, Legal Research, Interdisciplinary Training, Legal Aid and Insolvency. She has previously worked as a solicitor in private practice. Mrs Maxwell initiated Interdisciplinary Training with the School of Sociology, Social Policy and Social Work in 2006 and has been involved in the evolution of the joint training initiative since then. Mrs Maxwell has delivered courses in Court Skills training across a range of professions for SLS.

Dr Melissa McCullough

Melissa is a lecturer in the Centre for Medical Education at Queen's University Belfast where she is the director of the MSc in Interprofessional Health & Social Care Management. Melissa is a visiting lecturer at the Royal College of Surgeons of Ireland and in April 2009 was appointed as a Non-Executive Director to the newly formed Health & Social Care Board. Melissa's research interests include resource allocation, human rights & healthcare, interdisciplinary teaching and learning of ethics & law among other topical areas in the bioethics discipline.

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- ^{vii} Sloper, P. (2004) 'Facilitators and barriers for co-ordinated multi-agency services.' *Child: Care, Health and Development*, 30,6: 571-580
- ^{viii} Parsell G, Bligh J. The development of a questionnaire to assess the readiness of health care students for interprofessional learning (RIPLS) *Medical Education* 1999, 33(2):95–100.