

*Tool 1*

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## Training log: recording your learning

Keep a training log to record your developing knowledge in the area of social work and the use of research evidence in the family court.

The log can be useful for:

- Regular review in supervision
- As a record of learning for re-registration and professional development.

name and job title	year of registration	registration number

date	activity (reading, reflection, research, etc.)	hours spent	outcome



## Tool 2

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### Developing knowledge of your local family court

Build your confidence in the court environment by learning about your local family court. Use this tool as a long-term development activity.

- **Find out about your local Family Justice Board**

Who is the local authority representative? Ask them to keep you informed of the issues that are under discussion or review.

What issues of concern are there locally? Reflect on your own practice and the extent to which you can make a positive contribution to addressing these issues.

Obtain details of your local Family Justice Board training events and share these with colleagues.

- **Attend court hearings with colleagues, particularly those where they are expecting to be cross-examined.**

Discuss the possibilities in supervision and link with all relevant parties.

(Please note: Family hearings are private. To attend a hearing that you are not directly involved with, you will need the permission of all the parties and the court. Remember also that for some families, a heavy presence of social workers will be perceived as oppressive.)

Social workers often give evidence in different courts across several areas. Try to gain and share knowledge of these different settings with colleagues.

- **Talk to colleagues about their experience of court.**

Debate what lessons are to be learned from 'bad experiences' and how practice can be improved. Use supervision sessions to discuss the evidence that you will adduce and any of your concerns about how this will be challenged.

- **Liaise with your legal department about any recent case law that has implications for your practice.**

Ask to see a copy of the summary of any judgements so that you can draw on lessons to be learned for practice. (A superficial understanding may lead to false assumptions.)

Explore what facilities are available in each court for both families and professionals.



## Tool 3

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### When to appoint an expert

This tool can be used in supervision or as a tool for group training. There are no hard and fast rules on when to appoint an expert, but there is a need to reflect upon when an expert would provide further valuable evidence in a particular case. This may be about assessing when the level of expertise required in a specific area is 'clinical' or beyond the expertise of the social worker or colleagues in the local authority.

The local authority will make its own core assessment – and the child's guardian will make an independent assessment in the interests of the child. Further assessments should only be commissioned if they can bring something important to the case that neither the local authority nor the guardian is able to bring.

This list can be used to help social workers reflect on when experts should be appointed.

#### **A When experts are required:**

- bones, brains and bruises
- suspected severe mental disorders
- severe learning disabilities
- potential to benefit from therapy
- major disability – parent or child
- risk assessment – serious sexual abuse and violent adults.

#### **B When the social worker or guardian should be able to provide good evidence:**

- attachment
- general assessments of child development
- parenting capacity
- parents' capacity/propensity to change
- risk assessments in general
- neglect.

Do you feel competent in areas listed under **B**?

Do you have competency in areas listed under **A**?

Do you feel these lists are helpful?

Would you argue with any of the areas listed under **A** or **B**?

## *Tool 3*

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### **Debrief**

This tool can generate helpful debates about social workers' ability to give evidence, particularly in relation to attachment. Agencies that have used this tool say discussion groups often feel that a social worker or guardian should be able to identify attachment issues and be able to describe these thoroughly, demonstrating clearly all the evidence relating to the child and linking this to an understanding of the research evidence. Consideration of whether further expert assessment might be needed will be case specific. Other family court professionals argue for the need for expert opinion regarding attachment issues.

If you are confident about your ability to give evidence on an area such as attachment, then you will need to be able to assert your expertise and make your evidence base crystal clear to the court.

## Tool 4

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### What areas of expertise does a child and family social worker have?

This tool is an aid to self-reflection, which you might want to use for an annual self-assessment or guide in professional development.

Please don't let the length of the list overwhelm you. It reflects the board spectrum of the social work role. An expert may only score 5 in one or two areas, for example. Research in Practice has found that social workers often lack confidence in many of the areas listed.

#### How to rate your areas of expertise

- 1 I have a basic knowledge and/or experience gained in this area from early education/training, but I don't feel confident enough to be able to talk about this in any depth and have little or no experience of this in practice.
- 2 I have a basic knowledge where I have had specific education/training/experience in this area although it was some time ago and I feel that my knowledge/experience is not very up to date.
- 3 I have had recent knowledge/training/experience in this area and I would feel able to talk about this topic to colleagues, although I would need to familiarise myself with practice/policy/research to feel competent before thinking about being able to give good evidence in court.
- 4 I have an interest in this particular area and I have studied the evidence base at post-qualifying level and/or have developed particular professional competence in this area in which I regularly practise. I am aware of the current research/policy/practice in this area and I would feel confident in being able to apply my knowledge analytically in giving evidence in court.
- 5 All of 4 applies and, in addition, I have a masters level or above in this area and/or I am highly knowledgeable about the practice/policy procedure in this area, being seen by colleagues as having expertise. I would feel highly confident in giving evidence in court around this topic as my competence is endorsed by qualifications/professional standing

## Tool 4

Asylum-seeking children	1	2	3	4	5
Attachment	1	2	3	4	5
Behaviour	1	2	3	4	5
Care planning	1	2	3	4	5
Child abuse: emotional	1	2	3	4	5
Child abuse: neglect	1	2	3	4	5
Child abuse: physical	1	2	3	4	5
Child abuse: sexual	1	2	3	4	5
Child and family assessment	1	2	3	4	5
Child development	1	2	3	4	5
Child-care law	1	2	3	4	5
Child-centred approaches (maintaining this in complex assessments)	1	2	3	4	5
Children's rights	1	2	3	4	5
Communicating with children and young people	1	2	3	4	5
Communication: working through the medium of Welsh	1	2	3	4	5
Community (ie, communities of interest as well as geographic)	1	2	3	4	5
Conflict (dealing with)	1	2	3	4	5
Contact	1	2	3	4	5
Disability: physical	1	2	3	4	5
Disability: emotional	1	2	3	4	5
Diversity	1	2	3	4	5
Domestic abuse	1	2	3	4	5
Drug misuse (children and young people)	1	2	3	4	5
Drug misuse (parental)	1	2	3	4	5
Ecological approaches (environmental factors that affect children's lives)	1	2	3	4	5
Empowerment	1	2	3	4	5
Equal opportunities	1	2	3	4	5
Ethics	1	2	3	4	5
Evidence-informed practice	1	2	3	4	5



## Tool 4

Family relationships	1	2	3	4	5
Family support	1	2	3	4	5
General theories of adult learning	1	2	3	4	5
Health and well-being	1	2	3	4	5
Identity	1	2	3	4	5
Illness (impact of)	1	2	3	4	5
Interagency and multi-professional working	1	2	3	4	5
Intervention in family life	1	2	3	4	5
Learning difficulties	1	2	3	4	5
Looked after children	1	2	3	4	5
Loss	1	2	3	4	5
Needs	1	2	3	4	5
Parental mental health	1	2	3	4	5
Parental responsibility (rights and duties)	1	2	3	4	5
Parenting capacity (and capacity to change)	1	2	3	4	5
Problem solving	1	2	3	4	5
Racism	1	2	3	4	5
Refugee children	1	2	3	4	5
Report writing	1	2	3	4	5
Resilience	1	2	3	4	5
Risk assessment and management	1	2	3	4	5
Service user involvement	1	2	3	4	5
Significant harm	1	2	3	4	5
Social exclusion	1	2	3	4	5
Social policy	1	2	3	4	5
Social work theory	1	2	3	4	5
Therapeutic interventions	1	2	3	4	5
Young carers	1	2	3	4	5
Other (please state)	1	2	3	4	5

## *Tool 4*

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### **Debrief**

It's easy to see why social workers specialise in areas as they become more qualified. Any one of these areas could be a specialist career in itself and this highlights the need to qualify expertise in relationship to your level of knowledge.

This may also help you identify when you might need additional expert opinion. In relation to the particular case and any area you are uncertain about, you need to put the child first and ask whether an assessment from a specialist is needed.

We've included some blank spaces in the table because we're sure there will be many other areas you can add from your wide experience.

The breadth of the profession does offer a strong argument for the special, unique and difficult role of social workers. When someone asks you what a child and family social worker does, you won't be stuck for what to say!

Agencies that have used this tool report finding it useful in helping to develop reflective practice and in identifying expertise and the need for further development.

They report an overall picture mainly of scores of 2 and 3, with a few 4s. This isn't surprising – social work requires a broad range of skills and general awareness across many areas. The tool helps identify specialisms and confidence levels, which can be useful in the complicated areas that often arise in proceedings.

## Tool 5

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### What to do when there are no current literature reviews

**1. Define what it is you want to research.**

eg, I want to find current research around good practice for enabling contact with siblings for a five-year-old girl with severe learning disabilities where older siblings are still at home with parents.

*Think very clearly about what it is that you specifically want to research and why. Think about each and every word; is it as clear as it can be (eg, 'research' or 'current research', 'learning difficulties' or 'severe learning disabilities')?*

**2. Identify accessible and relevant databases and pull out the essential key words to use as search terms. Start with a broad search, then narrow it down.**

eg, first stage - 'contact', 'family placement'

eg, second stage - 'contact', 'family placement', 'siblings', 'disability'

*If you are in doubt about which databases or other sources to search, start by talking to your agency's information officer or contact your local librarian. Each database has different search facilities, so make sure you read the help pages to understand how to get the best results. Think of all the alternative words that could replace your search terms and experiment with them.*

**3. Compile a list of relevant and recent sources listing author, date, title and publisher and most relevant pages.**

*For evidence to underpin assessments and reports for the family court, use 'safe' sources.*

**4. Read the texts with a mindset focused on producing an end product (an analytical evaluation of current research in the area).**

*Look at the index and contents. Read the preface or overview. Skim-read them with an emphasis on conclusions and the key elements that interest you, then read those in more depth. If you can download pdf versions, this will help you skim-read. You can use the find function to search for key words in the text.*

## Tool 5

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**5. Use a summary record sheet for each one of your sources.**

*Do this in Word and then paste all summary record sheets together on one document to enable you to search for:*

author/date	research focus/questions	approaches: theoretical, philosophical, political, methodological
arguments/findings	key concepts	notes

**6. Use this information to map how your enquiries have underpinned your thinking.**

The result of this exercise should be a valuable, concise log of updated knowledge in a specific area. Share this with colleagues. Use it in case discussion or supervision. Draw upon relevant findings to help evidence your decisions in your assessment or statement.

## Tool 6

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### Factors influencing decision making

This tool can be used in group training sessions to help social workers identify the influential factors involved in decision making.

The aim is to open minds to how these factors may influence important decisions, so that when dealing with an individual case a social worker can reflect on how far their recommendations are based on the needs of the child.

#### 1. Do general factors have more influence than specific factors in your decision making?

This model highlights the factors affecting decision making by local authority social workers, helping us reflect on the difficulties in being an 'objective' party in proceedings.

#### general factors

- the legislative framework
- local service structures and policies
- local policy in relation to the establishment of priority services
- resources
- the skill, value and knowledge base of the social worker or children's professional
- relevant literature and research
- society's expectations
- public safety

#### specific factors

- the wishes and feelings of the child
- the wishes and feelings of parents and carers
- observations of parent and child
- kinship network options
- the risk involved in any course of action
- the parent's capacity for change
- the child's physical, emotional and educational needs
- the characteristics of the child
- secure attachments
- identity
- passage of time
- the options available to the court

(based on Timms 1995)

## *Tool 6*

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2. Which factors (general or specific) do you think stand out as the key factors in decision making?
3. Are there any other influential factors you would add – or any you would disagree with?
4. This model was developed with local authorities in mind. Do you think the same factors affect other agencies, such as Cafcass Cymru, expert witnesses and judges for example? How would their models differ?

## Tool 7

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## Do you have an analytical approach to work in the family court?

### DO YOU

- subject your arguments to critical evaluation?
- seek to qualify your intuition?
- seek to analyse your observations?
- make clear in your evidence what is ‘fact’ and what is opinion?
- make clear what is first-hand evidence and give sources of other evidence?
- act ethically by sharing information about the research and methods you use in decision making with children and families, guardians and other stakeholders?
- take a critical view of the policies and procedures that constrain you in aiming to achieve best outcomes for children?
- avoid speculation and labelling?
- properly evidence all your statements?

### ARE YOU

- open to see all sides of arguments?
- open to broadening your perspective in the light of case discussions?
- confident in using research that is within your realm of expertise?
- open and honest about the limits of your knowledge?

### CAN YOU

- identify generalisations and avoid the pitfalls of using them?
- identify the impact your own values and prejudices may bring?
- speak to your statements effectively and use language thoughtfully to avoid your arguments being misinterpreted?
- argue your point and keep a clear focus?





## Tool 8

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### Using research messages as social facts

An exercise to use in group training or for self-reflection.

The following examples are of research messages from 'safe sources' as identified in Practice Briefing 2: Evidence-informed practice and research. They have been chosen to highlight different issues about using 'generalised' research messages. Ask the group to consider each message in relation to the three questions that follow.

#### Research Message 1

A UK survey examining the impact of domestic violence on the mental health of school-age children and young people found that witnessing domestic violence was significantly associated with conduct disorders in children (Stanley (2011) Children Experiencing Domestic Violence: A Research Review. Dartington: Research in Practice).

1. In scrutinising this statement what makes it 'general'?
2. If you wished to use this statement to illustrate an issue in court, how would you use the message and what other evidence would you supply to make your analysis specific?
3. What would be your ethical considerations in using this research message?

#### Research Message 2

We know that most parents who live in poverty do not maltreat their children and parent effectively, but research shows that children who grow up in poverty can be more vulnerable to some forms of maltreatment, particularly neglect and physical abuse (NSPCC (2008) Poverty and Child Maltreatment: Child protection research briefing. London: NSPCC)

1. In scrutinising this statement, list what makes it 'general'?
2. If you wished to use this statement to illustrate an issue in court, how would you use the message and what other evidence would you supply to make your analysis specific?
3. What would be your ethical considerations in using this research message?



## Tool 9

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### Capturing learning from judgements

This tool can be used by a local authority's legal team or statutory child-care team. You may want to start a file of anonymised judgements for workers to access or to assist planning.

This exercise requires you to review recent local judgements and see what lessons can be learned for current or future practice. We found it worthwhile to analyse judgements and to establish what was considered good practice in the local family court and what could have been done better.

You can obtain judgements from the local family court but they have to be paid for. It may help if one person does this exercise to identify local issues and then shares the findings. This will ensure anonymity – which is, of course, central.

You could follow the format given below, using these three headings, or choose others that are closer to your particular concerns:

- **judgement points**
- **practice implications**
- **how this relates to my cases**

The following case examples may help

#### CASE 1

A seven-month-old child had been removed from mother's care at two months because of the risk of neglect and placed in foster care. Father is an asylum seeker whose application for asylum status was turned down. The local authority carried out an assessment of parents, which was negative, and wished to proceed to adoption. This is opposed by mother and father.

#### judgement

- mother had failed to parent a previous child four years previously
- father did not participate in assessment

**accepts** evidence from a family centre assessment worker about mother's parenting, including:

- rough handling
- not prepared to have regular feeding routine
- poor stimulation of the child
- will not accept advice.

## Tool 9

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**accepts** evidence from the child's guardian:

- mother not showing behaviour that forms attachments
- no significant change in mother's parenting ability since the previous child was removed
- satisfied that the local authority had considered all relevant information
- any further delay would be detrimental to the child.

**implications for practice:**

- significance of detailed observations of parent/child interaction and interpretation
- use of knowledge and research about the risks of poor attachment
- importance of history of previous children and assessment of any change
- consideration of all the relevant information (eg, other family members re placement)
- timescales for children needing permanent placement.

## CASE 2

A 12-year-old boy with severe epilepsy, learning difficulties and challenging behaviour was removed from his mother because of mounting concerns about her parenting, which included suspected drug and alcohol misuse, violence, and failure to administer medication properly. The child was placed with his father. This is opposed by the mother.

**judgement**

- mother had failed to parent a previous child in 2001
- father did not participate in assessment.

**accepts** evidence from local authority social worker and children's guardian:

- behaviour problems caused largely by poor parenting
- behaviour improved upon placement with father
- long history of a multitude of concerns = overwhelming evidence of significant harm
- children's guardian: need for a care order because of mother's likely undermining of placement.

**implications for practice:**

- training for disability social workers in recognising child abuse
- impact of parenting on child's behaviour
- distinguishing the effects of illness/disability from the effects of abuse/poor parenting.

## Tool 10

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### Assessing the quality of evidence in your court report

This tool will help you reflect on the quality of evidence in your court report. It can be used in mentoring, in supervision or in team discussion. Remember that the content of your report is the significant issue for the children and family in question.

**1. Is it clear what my recommendation(s) is (are)?**

- Although many agencies put these at the end of their report, it is ideal to highlight these at the beginning of the court report. Throughout the report, make it clear how you arrived at your recommendations and show the theoretical basis and facts that underpin them.

**2. Is my report the right length?**

- Ten pages of analysis are better than 20 of description. Overly long description shows an inability or unwillingness to analyse and come to conclusions.

**3. Am I prepared for cross-examination?**

- Make sure you have explored all sides of an argument, and acknowledge this in your report. Pretend you are the judge or family's lawyer. What questions would you ask of your evidence? Ensure your statements and recommendations are balanced evidentially.

**4. Have I given accurate citations?**

- Cite the most relevant source(s) you have used, rather than long rambling lists in the text. Take with you copies of relevant research so the judge can see what you have used. Use Harvard Referencing unless there are specific guidelines laid down in your area, eg, Stanley, N (2011: 35). A bibliography should be attached where you have made direct references to research or drawn up theoretical standpoints, methods or tools.

**5. Have I explained the research properly?**

- Only use enough text to support the particular issue you are addressing. Include research and facts that could support an alternative stance and be clear why you have reached a particular recommendation. Don't use complicated language or jargon; explain the findings in clear, simple language.

# Evidence Matters in Family Justice 10

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## *Tool 10*

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### **6. Is my expertise apparent from my report?**

- In the introduction, outline your qualifications, experience and areas of expertise. This is also an area where you could state the sources of information/methods you have used in your report. Be upfront about your expertise – and also be aware of your limitations.

### **7. If I do not cite any research, will it be a mark of poor quality?**

- Many cases will not require research to be cited at all, so it is not important to cite research unless it actually helped you reach an understanding/recommendations about a case. Many of the models you apply (scales, questionnaires and assessments) will already be research informed. Make sure you understand their evidence base and are not just applying them without thought.

### **8. Has the research I have used helped to establish clearly ‘the facts’ of the case?**

- Beware of using research messages as assertions of fact. Research can help you understand a given situation, but research is always general. You need to show you have drawn on all the evidence, including research where appropriate to the case, giving close attention to the observed facts and circumstances of a particular child’s and family’s life when making your recommendations. Make sure that any research you use helps describe the other evidence you have used, such as risk assessments, scales and questionnaires.

# Evidence Matters in Family Justice 11

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## *Tool 11*

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### Writing analytically

This tool can be used in training or supervision. It should help identify the difference between written description and written analysis of the same event. It could also help you prepare for cross-examination.

**Person 1** describes a case or situation for five to ten minutes in a free flow, without any interruptions.

**Person 2** takes notes and reflects back analytically, using the description to identify:

- what does this mean? (ie, extracting the main meanings from the case description)
- what are the consequences? (ie, identifying from the case description those things that are likely to happen if action is or is not taken)
- what are the short- and long-term outcomes, and pros and cons (relating to possible actions)?
- what has been tried and how?
- what is the evidence for all of the above – how? what? when?





*Tool 12*

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## A questionnaire: the role of research in assessing risk

### This tool is for managers

If you want to audit how social workers assess risk in your agency, then the following questionnaire may help. You can also adapt it to address specific concerns you may have in your agency. But make sure confidentiality is guaranteed when conducting this type of research in-house – professional practice is a sensitive issue. You can also use this tool as preparation before training on evidence-informed practice in court work.

With a particular case in mind, please answer the following questions:

1. What were the main factors contributing to the determination of risk (actual or likelihood of significant harm/impairment of health or development)?

2. In assessing risk, which of the following specific factors contributed to the actual assessment? (Please judge each on a scale of 0-10, where 10 indicates high importance.)

- talking and listening to the child
- talking and listening to parents
- the behaviour of an adult in the family
- general parenting incapacity
- specific parenting incapacity/parental lifestyle factors
- individual characteristics of the child
- family historical factors
- protective parenting factors
- vulnerability of the child
- resilience of the child
- environmental factors
- family/social support network
- parental capacity to change
- social/cultural patterns
- (please specify others).....

# Evidence Matters in Family Justice 12

## Tool 12

3. In assessing risk, which of the following specific factors contributed to the actual assessment? (Please judge each on a scale of 0-10, where 10 indicates high importance.)

- instinct or 'gut feeling'
- experience
- the views of a manager
- consulting with a colleague
- departmental guidance
- national guidance\*
- professional literature\*
- risk assessment tools, scales or questionnaires\*
- research evidence or theory\*
- consultation or the report of an expert\*\*
- (please specify others).....

\*Please list your main and significant sources:

author	date	title

\*\* Please outline in one or two sentences what issue the expert was consulted about:

field of expertise	issue

# Evidence Matters in Family Justice 12

## Tool 12

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4. Did the expert opinion provide added value to the information you already had? Did it corroborate your 'gut feeling' or provide a different perspective? Please comment on this.

5. Please describe (eg, in bullet points, or as a flowchart) the process of making your analysis and reaching a conclusion.

6. Was your assessment accepted and, in your opinion, was the best outcome reached?

7. What additional knowledge or support do you feel your agency could provide to help you assess risk and give the most robust evidence in court?

***Thank you for your assistance. This information will be helpful and kept confidential.***



## Tool 13

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### Ice-breaker: the importance of accuracy in conveying evidence

This tool is ideal for training with small groups. Social workers giving evidence are required to give detailed accounts of events that have happened throughout the duration of their engagement with a case.

This ice-breaker is a fun way of emphasising the importance of accuracy when conveying evidence that relies on accounts from memory. It should bring home the serious message of how important it is to take detailed notes and write them up as soon as possible after visits or assessments with families. In a group of ten people this exercise should take up about 30 minutes.

#### Facilitator notes

1. With the whole group start a discussion about memory and ask the group to talk about how they recall events (is their memory visual/oral, broad-brushstroke/detailed?).
2. All but one person in the group leaves the training room.
3. The facilitator informs the remaining person that a script will be read to them and they must remember it to be able to relay the detail to the next person. The facilitator then reads them the script (on the reverse of this tool).
4. Once the first person has repeated the script to the second person in the group, they may stay in the room.
5. When everyone has repeated the story and all are back in the room, the facilitator reads out the original script to the group.
6. The original script takes about 60 seconds to read. By the time the story has been related to the tenth person, the statement has usually been reduced to about two brief sentences. Very little of the original may be left, with most versions containing lots of changes and inaccuracies.
7. To finish the exercise, ensure the group has time to discuss what might help them successfully represent accounts that rely on memory.

This is not a tool to help develop memory skills. However, there is much written about this and, in a longer session, the facilitator may wish to develop the exercise to look in more depth at specific techniques, for example mnemonics.

*Tool 13*

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**Script**

*When I arrived at the flat there were two cars parked outside – an old white van and a big blue people carrier. When I walked up the path I saw a tall, scruffy man give a small parcel to a blonde child about seven years old. The man got into the white van and drove off. The child went into the block of flats.*

*I went upstairs to the flat and two people pushed past me on their way down.*

*The door to the flat was open and I could hear male and female voices and rock music playing. I went in to the living room and saw Mrs Green smoking. Two children were watching The Simpsons on TV. A very dirty toddler with three pinch marks on his cheek was playing in the middle of the floor with a big Alsatian dog. There were three glasses of clear liquid on the table and the toddler got up and drank one. Mrs Green went to grab the glass from him, he screamed and the dog jumped on him and knocked him against the table. He dropped the glass, which shattered into pieces, and bumped his head on the table as he fell.*

## Assessment: parental capacity to change

Depending on the particular issues and characteristics of the family, a social worker may need the help of experts in order to assess capacity to change. However, social workers are responsible for assessing parental capacity to change in their assessments. Ask yourself these questions:

- What is in place in your agency that helps you assess parental capacity to change?
- What primary evidence do you collect to assess parental capacity to change?
- What research evidence do you use to help you assess parental capacity to change?
- What other partners or agencies do you engage to help assess or support changes in parenting?
- Do you assess both parents equally and how do you highlight differences between parents?

Practice Briefing 4, *Risk, protective factors and capacity to change* looks at this issue in detail.





## Research messages relevant to the family court

Use the questions below to support access to research messages in your agency.

1. What are the common issues relevant to your area that are frequently addressed in cases reaching the family court?
2. Are research reviews in these topic areas easily accessible?
3. Do social workers know how to locate this information via your agency's internet or intranet?
4. Have you thought about creating research message cards for use across your agency –that is, brief summaries of and signposts to the evidence around issues common to family law cases
5. Is there any way of capturing and disseminating important case-law decisions made in the family court?

Remember, to be useful, this information needs to be kept up to date and made accessible.



## Tool 16

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### Self-assessment in relation to a specific piece of research

Use this self-audit tool to assess whether you feel knowledgeable in the area of research you wish to draw upon in the family court. It will be worth documenting this so you can use it later to show how your learning is progressing. The exercise should also help you prepare for cross-examination.

The area of research I wish to use in my statement is:

#### Questions about this piece of research:

- What do I know about the author(s) and who commissioned the research?
- When was the research study undertaken and published?
- Was it in a peer-reviewed publication?
- Where was the study undertaken?
- What other contextual issues are relevant for me to consider?
- What is the theoretical basis of this piece of research?
- What methods were used?
- What was the scale of the study?
- Do I know if this research has been used to support similar cases?
- Is this research cited regularly?
- What do I know about theoretical standpoints or particular studies that might counter these findings?
- Do other studies support the findings of this piece of research?
- What weight should be given to this piece of research in relation to all the other evidence?
- What is meaningful in the context of this case?



## Tool 17

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### Questioning the evidence base

This tool can be used in supervision or as a self-audit tool. It will help you challenge the evidence base underpinning some common social work issues.

Use the examples below to think about the evidence base relating to issues that commonly arise in social work. You can add questions of your own under each topic. You can also identify other areas of practice in which to develop your own model.

#### Example 1

Domestic abuse

- Am I using a recognised definition of domestic abuse?
- How do I evidence the impact of domestic abuse on this particular child?
- What constitutes 'significant harm', or the 'likelihood of significant harm'?
- What informs my assessment of the prognosis for change, and the timescale for this?
- In relation to the balance of harm, what informs my conclusions as to the possible outcomes for this child?
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#### Example 2

Parental mental health concerns

- How do I evidence the impact of parental mental health concerns on the individual child?
- Do I have sufficient knowledge of the impact of the parent's capacity to enhance their parenting skills?
- Do I have sufficient knowledge to measure the child's resilience?
- Do I have sufficient knowledge of outcomes for children in this child's situation to make an informed recommendation?
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## Tool 17

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### Example 3

#### Parental learning disability

- When does a parent's learning disability preclude them from actively caring for their child?
- Is the parenting assessment valid for parents with learning disabilities or based upon expectations and support levels for parents with greater IQs?
- How does research inform a risk assessment (eg, risky adult behaviour/presence in a household)?
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### Example 4

#### Neglect

- What are the consequences of chronic and ongoing neglect:
  - to the individual child at the present time?
  - to the individual child through life?
- Given this child's experiences, can any deficits be corrected? And if so, by what means and over what timescale?
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### Example 5

#### Parental substance misuse

- When does a parent's substance misuse impinge critically on their ability to offer effective parenting?
- What has the most significant impact on the parenting capacity of a parent who is misusing substances:
  - individual history?
  - substance in question?
  - prognosis for change?
  - age of child or children?
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All these areas have been investigated by researchers. Their findings have been reported in specialist and more global social work texts and are the basis of many social work reports.

*Tool 18*

## Assessing the applicability of research to a case

This tool is intended to help you assess how well research findings – whether from a review or a single study – fit with the circumstances of the particular case you’re considering.

Research Findings findings	Areas of similarity/difference with your case
What is known about the theoretical perspective of the study / authors?	
What is known about key aspects of the policy context eg mandatory/ voluntary regime, underpinning ideologies or policy intents, agencies involved?	
What is known about the study setting eg institutional, geographical, time period?	
What is known about the study population eg demographics, levels of service use, seriousness of problems, clinical/community sample?	
What is known about the service or intervention (if relevant) eg duration/ number of contacts, where provided, agencies involved?	
What is known about the type of case for whom the finding is true – eg for which children is service effective, risk higher etc?	

