

**City University of Hong Kong  
Course Syllabus**

**offered by Department of Applied Social Sciences  
with effect from Semester B 2016 / 2017**

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**Part I      Course Overview**

**Course Title:**                      Legal Issues for the Social Worker

**Course Code:**                     SS5114

**Course Duration:**               One Semester

**Credit Units:**                    3

**Level:**                               P5

**Medium of  
Instruction:**                       English

**Medium of  
Assessment:**                    English

**Prerequisites:**  
*(Course Code and Title)*       Nil

**Precursors:**  
*(Course Code and Title)*       Nil

**Equivalent Courses:**  
*(Course Code and Title)*       Nil

**Exclusive Courses:**  
*(Course Code and Title)*       Nil

## Part II Course Details

### 1. Abstract

- examine how law can be used as a framework of protection and oppression for both service users and social workers
- introduce the legal principles, institutions and processes that underpin the Hong Kong legal system
- understand the impact of laws on social work practice in various settings such as child welfare, criminal justice, domestic violence, guardianship, mental health, and anti-discrimination
- examine social workers' legal duties, ethics and obligations such as negligence, duty of care, confidentiality and informed consent
- develop students' competence in handling legal issues in social work practice

### 2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Critically examine the relationship between social work and law	10%		√	
2.	Analyse the operation of the legal system, and the functions of different agencies and persons in it	20%	√	√	
3.	Evaluate the role of social workers in various legal settings, and to effectively perform in those settings	60%	√	√	
4.	Examine the professional liability, discipline and ethics as practicing social workers	10%		√	
		100%			

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

### 3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
TLA1: Lectures	The lectures include didactic presentation with aid of instructor's PowerPoint presentation and classroom discussions.	√	√	√	√	
TLA2: Group Discussions	Students are encouraged to play an active role in participating in group exercises and discussions during lectures. Co-operative peer learning enhances academic			√	√	

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
	achievement by having students work together to clarify concepts, discuss ideas, and solve problems. Knowledge acquired through their weekly required / suggested readings would help students to better present their arguments in group exercises and discussions.					
TLA3: Courtroom Visit	Students are expected to observe court proceedings for at least 2 hours in order to understand the operation of a criminal or civil proceeding in Hong Kong.		√		√	
TLA4: Guest Lectures from Practising Lawyers or Judges	Practising lawyers or judges will be invited to give lectures on specific topic of their expertise whenever appropriate. They will talk about the procedural as well as substantive law, and how social workers are able to advise their service users in order to obtain legal consultation and advice.		√	√	√	

#### 4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
Continuous Assessment: 50%						
<u>AT1: Class Participation</u>  Students will be assessed on their class participation, they will be given discussion exercises, legal case studies and contemporary news affair with legal issues of relevance to the practice of a social worker to discuss during each lecture. They are expected to actively engage in these exercises and contribute to the learning of the class.		√	√	√	10%	
<u>AT2: Group Paper</u>  Students will form groups with 4 – 5 fellow classmates at the start of the course. They will be given a topic to research and to produce a group paper on.  Each group will submit a 3,000 words paper on their chosen topic. Students are required to include at least one reported law case summary relevant to their chosen topic in the group paper. They are also required to demonstrate their ability to find and dig into statutory laws and court judgment and be able to find out where to locate legal information and databases.		√	√	√	20%	
<u>AT3: Court Visit Report</u>  Each student needs to submit a 1,000-word court	√	√			20%	

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
visit report to describe and reflect on what went on in the courtroom on the day he or she visited. Details guidelines will be provided before the court visit.						
Examination: 50% (duration: 3 hours)						
<u>AT4: Examination</u>  A 3-hour written open book examination intends to test students' acquisition of concepts and knowledge relevant to using the law in social work as introduced in lectures. It will be mainly in the form of essay-type questions that aims to test the student's ability to analyse the issues and apply the relevant statutory provisions or legal principles to the questions.	√	√	√	√	50%	
					100%	

## 5. Assessment Rubrics

*(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)*

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Adequate (C+, C, C-)	Marginal (D)	Failure (F)
1. Class Participation (10%)	1.1 Actively engage in class participations 1.2 Ability to offer opinions and comments on discussions rationally and logically 1.3 Contributes to the learning of the whole class	Outstanding	High	Moderate	Basic	Not reaching marginal levels
2. Group Paper (20 %)	2.1 Ability to identify and address clearly the main question(s) and the subsidiary or embedded aspects 2.2 Ability to demonstrate wider research and understanding of topic 2.3 Appropriate citation and referencing to substantiate arguments	Outstanding	High	Moderate	Basic	Not reaching marginal levels
3. Court Visit Report (20%)	3.1 Ability to analyse the role of actors in the courtroom 3.2 Ability to suggest where and how the social worker can play a role in the court proceeding 3.3 Appropriate citation and referencing to substantiate arguments	Outstanding	High	Moderate	Basic	Not reaching marginal levels
4. Examination (50%)	4.1 Ability to demonstrate critical understanding of the course material	Outstanding	High	Moderate	Basic	Not reaching marginal levels

## **Part III Other Information** (more details can be provided separately in the teaching plan)

### **1. Keyword Syllabus**

(An indication of the key topics of the course.)

#### **1.1 Legal system of Hong Kong**

Topics to be covered may include: social work practice within the legal framework, classification of law, sources of law, legal research; Law making process- the legislature and courts; and the common law and various areas relevant to social work practice

#### **1.2 Child abuse and protection**

Topics to be covered may include: the meaning of “child” and “child abuse”, the Protection of *Children and Juveniles Ordinance* (Cap. 213), and special court procedure for children and juveniles.

#### **1.3 Family law**

Topics to be covered may include: the meaning of “marriage”, the *Matrimonial Causes Ordinance* (Cap. 179), separation and divorce, guardianship, custody of children, property relationships after termination of marriage, and the *Matrimonial Proceedings and Property Ordinance* (Cap. 192).

#### **1.4 Domestic violence**

Topics to be covered may include: the meaning of “domestic violence”; the *Domestic and Cohabitation Relationships Violence Ordinance* (Cap. 189), application for an injunction and the relevance of the criminal law.

#### **1.5 Juvenile offenders**

Topics to be covered may include: the *Juvenile Offenders Ordinance* (Cap 226), an overview of the juvenile justice system in Hong Kong, and criminal record and the *Rehabilitation of Offenders Ordinance* (Cap. 297).

#### **1.6 Human rights**

Topics to be covered may include: the *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, *International Covenant on Economic, Social and Cultural Rights* and their implementation in Hong Kong, The *Hong Kong Bill of Rights*, safeguarding of rights - judicial review of administrative decisions.

#### **1.7 Public Order law**

Topics to be covered may include: the control of organizations, the control of meetings, processions and gatherings, vessels and aircraft, unlawful assemblies and riots, the police powers and the *Public Order Ordinance* (Cap. 245).

#### **1.8 Mental health care**

Topics to be covered may include: statutory provisions relating to mentally incapacitated persons, the Guardianship Board under the *Mental Health Ordinance* (Cap. 136), and the involvement of social workers in the *Mental Health Ordinance*.

#### **1.9 Professional conduct of Registered Social Workers**

Topics to be covered may include: the *Social Workers Registration Board Ordinance* (Cap 505), Privacy and confidentiality, the *Personal Data (Privacy) Ordinance* (Cap 486), informed consent, delivery of services and boundary violations, and Disciplinary proceedings.

## 1.10 Privacy

Topics to be covered include: the meaning of “privacy”, *The Personal Data (Privacy) Ordinance* (Cap. 486) and its enforcement, data protection principles, and exemptions.

## 2. Reading List

### 2.1 Compulsory Readings

(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)

1.	Lo, S.H.C. and Chui, W.H. (2012) <i>The Hong Kong Legal System</i> , Singapore: McGraw-Hill.
2.	Social Workers Registration Board (2009) <i>Rethinking on Professional Conduct of Social Workers – Casebook of Disciplinary Inquiries</i> , Hong Kong: Social Workers Registration Board.

### 2.2 Additional Readings

(Additional references for students to learn to expand their knowledge about the subject.)

1.	Abate, D. et al. (Eds.) (2011) <i>Discrimination Law and Practice in Hong Kong</i> , Hong Kong : Sweet & Maxwell/Thomson Reuters.
2.	Brayne, H. and Carr, H. (2010) <i>Law for Social Workers</i> (11th ed.), Oxford: Oxford University Press.
3.	Chui, W.H. and Lo, T.W. (Eds.) (2008) <i>Understanding Criminal Justice in Hong Kong</i> , London: Routledge.
4.	Cottrell, J. (2007) <i>Legal Research - A Guide for Hong Kong Students</i> , Hong Kong: Hong Kong University Press.
5.	Hewitt, P. (Ed.) (2014) <i>Family Law and Practice in Hong Kong</i> (2nd ed.), Hong Kong: Sweet & Maxwell.
6.	Jackson, M. (2003) <i>Criminal Law in Hong Kong</i> , Hong Kong: Hong Kong University Press.
7.	Liu, A. (1999) <i>Family Law for the Hong Kong SAR</i> , Hong Kong: Hong Kong University Press.
8.	Mau, S.D. (2013) <i>Hong Kong Legal Principles – Important Topics for Students and Professionals</i> (2nd ed.), Hong Kong: Hong Kong University Press.
9.	Rice, S. and Day, A. (Eds.) (2014) <i>Social Work in the Shadow of the Law</i> (4th ed.), Annandale, NSW: The Federation Press.
10.	Wesley-Smith, P. (1998) <i>An Introduction to Hong Kong Legal System</i> (3rd ed.), Hong Kong: Oxford University Press.
11.	Bilingual Laws Information System, Department of Justice ( <a href="http://www.legislation.gov.hk/eng/home.htm">http://www.legislation.gov.hk/eng/home.htm</a> )
12.	Treaties in Force and Applicable to the Hong Kong Special Administrative Region, Department of Justice ( <a href="http://www.legislation.gov.hk/interlaw.htm">http://www.legislation.gov.hk/interlaw.htm</a> )