

SS5114: LEGAL ISSUES FOR THE SOCIAL WORKER

Effective Term

Semester B 2025/26

Part I Course Overview

Course Title

Legal Issues for the Social Worker

Subject Code

SS - Social and Behavioural Sciences

Course Number

5114

Academic Unit

Social and Behavioural Sciences (SS)

College/School

College of Liberal Arts and Social Sciences (CH)

Course Duration

One Semester

Credit Units

3

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Nil

Precursors

Nil

Equivalent Courses

Nil

Exclusive Courses

Nil

Part II Course Details

Abstract

This course will:

- 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
- foster an understanding 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

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Critically examine the relationship between social work and law	10	x	x	
2	Analyse the operation of the legal system, and the functions of different agencies and persons in it	20	x	x	
3	Evaluate the role of social workers in various legal settings, and to effectively perform in those settings	60	x	x	
4	Examine the professional liability, discipline and ethics as practicing social workers	10	x	x	

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 real-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.

Learning and Teaching Activities (LTAs)

LTAs	Brief Description	CILO No.	Hours/week (if applicable)
1	LTA 1: Lectures	The lectures include didactic presentation with aid of instructor's PowerPoint presentation and classroom discussions.	1, 2, 3, 4

2	LTA2: 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 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.	3, 4	
3	LTA3: Guest Lectures	Legal practitioners may 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.	2, 3, 4	

Assessment Tasks / Activities (ATs)

ATs	CILO No.	Weighting (%)	Remarks ("-" for nil entry)	Allow Use of GenAI?	
1	AT1: Class Participation 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 class. They are expected to actively engage in these exercises and contribute to the learning of the class.	1, 2, 3, 4	15	Allow AI to generate initial ideas	Yes
2	AT2: On-line Quiz Students will be required to undertake an on-line module on Canvas, which will familiarize them with the law making and changing process and how to locate and cite legal materials. Following the module students are required to take an online quiz	2	10	-	No

3	AT3: Case Law Report You will be given a case and required to write a 1,000 word report on that case. Your report should give a summary of the main facts in this case, the main issue/s, what was decided and the reason for the decision. You should also explain what your role as a social worker would be in this case and explain whether, from a social work perspective, you agree with the outcome in this case.	1, 2	25	-	No
4	AT4: In Class Test A 2-hour In Class Test will test students' acquisition of concepts and knowledge relevant to using the law in social work as introduced in classes.	1, 2, 3, 4	50	-	No

Continuous Assessment (%)

100

Assessment Rubrics (AR)**Assessment Task**

1. Class Participation (15%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

- 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

Excellent

(A+, A, A-) Strong evidence of:

- 1.1 Active engagement in class participations
- 1.2 Ability to offer opinions and comments on discussions rationally and logically
- 1.3 Contribution to the learning of the whole class

Good

(B+, B, B-) Good evidence of:

- 1.1 Active engagement in class participations
- 1.2 Ability to offer opinions and comments on discussions rationally and logically
- 1.3 Contribution to the learning of the whole class

Fair

(C+, C, C-) Fair evidence of:

- 1.1 Active engagement in class participations
- 1.2 Ability to offer opinions and comments on discussions rationally and logically
- 1.3 Contribution to the learning of the whole class

Marginal

(D) Limited evidence of:

- 1.1 Active engagement in class participations
- 1.2 Ability to offer opinions and comments on discussions rationally and logically
- 1.3 Contribution to the learning of the whole class

Failure

(F) Insufficient evidence of:

- 1.1 Active engagement in class participations
- 1.2 Ability to offer opinions and comments on discussions rationally and logically
- 1.3 Contribution to the learning of the whole class

Assessment Task

2. On-line Quiz (10 %) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Excellent

(A+, A, A-) Strong evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Good

(B+, B, B-) Good evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Fair

(C+, C, C-) Fair evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Marginal

(D) Limited evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Failure

(F) Insufficient evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
 - 2.2 Ability to understand the law making and changing process
 - 2.3 Ability to locate legal materials
 - 2.4 Appropriate citation and referencing of legal materials
-

Assessment Task

- 3. Case Law Report (25%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

Excellent

(A+, A, A-) Strong evidence of:

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

Good

(B+, B, B-) Good evidence of:

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
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- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
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- 3.1 Ability to analyse case law
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- 3.3 Appropriate citation and referencing to substantiate arguments

Failure

(F) Insufficient evidence of:

- 3.1 Ability to analyse case law
 - 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
 - 3.3 Appropriate citation and referencing to substantiate arguments
-

Assessment Task

4. In Class Test (50%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

4.1 Ability to demonstrate critical understanding of the course material

Excellent

(A+, A, A-) Strong evidence of:

4.1 Ability to demonstrate critical understanding of the course material

Good

(B+, B, B-) Good evidence of:

4.1 Ability to demonstrate critical understanding of the course material

Fair

(C+, C, C-) Fair evidence of:

4.1 Ability to demonstrate critical understanding of the course material

Marginal

(D) Limited evidence of:

4.1 Ability to demonstrate critical understanding of the course material

Failure

(F) Insufficient evidence of:

4.1 Ability to demonstrate critical understanding of the course material

Assessment Task

1. Class Participation (15%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

1.1 Actively engage in class participation

1.2 Ability to offer opinions and comments on discussions rationally and logically

1.3 Contributes to the learning of the whole class

Excellent

(A+, A, A-) Strong evidence of:

1.1 Active engagement in class participation

1.2 Ability to offer opinions and comments on discussions rationally and logically

1.3 Contribution to the learning of the whole class

Good

(B+, B) Good evidence of:

1.1 Active engagement in class participation

1.2 Ability to offer opinions and comments on discussions rationally and logically

1.3 Contribution to the learning of the whole class

Marginal

(B-, C+, C) Fair to limited evidence of:

1.1 Active engagement in class participation

1.2 Ability to offer opinions and comments on discussions rationally and logically

1.3 Contribution to the learning of the whole class

Failure

(F) Insufficient evidence of:

- 1.1 Active engagement in class participation
 - 1.2 Ability to offer opinions and comments on discussions rationally and logically
 - 1.3 Contribution to the learning of the whole class
-

Assessment Task

- 2. On-line Quiz (10 %) (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Excellent

(A+, A, A-) Strong evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

Good

(B+, B) Good evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
- 2.4 Appropriate citation and referencing of legal materials

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(B-, C+, C) Fair to limited evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
- 2.2 Ability to understand the law making and changing process
- 2.3 Ability to locate legal materials
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Failure

(F) Insufficient evidence of:

- 2.1 Ability to understand the primary sources of legal materials in Hong Kong
 - 2.2 Ability to understand the law making and changing process
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 - 2.4 Appropriate citation and referencing of legal materials
-

Assessment Task

- 3. Case Law Report (25%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

Excellent

(A+, A, A-) Strong evidence of:

- 3.1 Ability to analyse case law

- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

Good

(B+, B) Good evidence of:

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

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(B-, C+, C) Fair to limited evidence of:

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

Failure

(F) Insufficient evidence of:

- 3.1 Ability to analyse case law
- 3.2 Ability to suggest the role of the social worker in court proceeding/legal cases.
- 3.3 Appropriate citation and referencing to substantiate arguments

Assessment Task

- 4. In Class Test (50%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

- 4.1 Ability to demonstrate critical understanding of the course material

Excellent

(A+, A, A-) Strong evidence of:

- 4.1 Ability to demonstrate critical understanding of the course material

Good

(B+, B) Good evidence of:

- 4.1 Ability to demonstrate critical understanding of the course material

Marginal

(B-, C+, C) Fair to limited evidence of:

- 4.1 Ability to demonstrate critical understanding of the course material

Failure

(F) Insufficient evidence of:

- 4.1 Ability to demonstrate critical understanding of the course material

Part III Other Information

Keyword Syllabus

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 maltreatment 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 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.

1.8 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 service and boundary violations, and disciplinary proceedings

Reading List

Compulsory Readings

Title	
1	Lo, S.H.C. Cheng, K.K.Y and Chui, W.H. (2020) The Hong Kong Legal System, 2nd ed, CUP.
2	Social Workers Registration Board (2009) Rethinking on Professional Conduct of Social Workers – Casebook of Disciplinary Inquiries, Hong Kong: Social Workers Registration Board
3	Social Worker Registration Board, Code of Practice for Social Workers < http://www.swrb.org.hk/documents/Code%20of%20Practice_Eng.pdf >.

Additional Readings

Title	
1	Carr H. and Goosey D. (2021) Law for Social Workers, 16th ed, OUP
2	Brammer, A. and Boylan, J. (2017) Critical Issues in Social Work Law, Palgrave
3	Cottrell, J. (1997) Legal Research: A Guide for Hong Kong Students, HKUP
4	Rice, S., Day, A. and Briskman L. (2018) Social Work in the Shadow of the Law, 5th ed., Federation
5	Johns, R. (2020) Using the Law in Social Work, 8th ed, Sage