

**City University of Hong Kong
Course Syllabus**

offered by Department of Social and Behavioural Sciences
with effect from Semester B 2020/ 2021

Part I Course Overview

Course Title:	<u>Legal Issues for the Social Worker</u>
Course Code:	<u>SS5114</u>
Course Duration:	<u>One Semester</u>
Credit Units:	<u>3</u>
Level:	<u>P5</u>
Medium of Instruction:	<u>English</u>
Medium of Assessment:	<u>English</u>
Prerequisites: <i>(Course Code and Title)</i>	<u>Nil</u>
Precursors: <i>(Course Code and Title)</i>	<u>Nil</u>
Equivalent Courses: <i>(Course Code and Title)</i>	<u>Nil</u>
Exclusive Courses: <i>(Course Code and Title)</i>	<u>Nil</u>

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			√	√	

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
	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.					
TLA3: 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: 100%						
<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 class. They are expected to actively engage in these exercises and contribute to the learning of the class.		√	√	√	15%	
<u>AT2: On-line Quiz</u> 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.		√			10%	
<u>AT3: Case Law Report</u> 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.	√	√			25%	

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
<u>AT4: In Class Test</u> 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.	√	√	√	√	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-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
1. Class Participation (15%)	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. On-line Quiz (10 %)	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	Outstanding	High	Moderate	Basic	Not reaching marginal levels
3. Case Law Report (25%)	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	Outstanding	High	Moderate	Basic	Not reaching marginal levels
4. In Class test (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 (http://www.legislation.gov.hk/eng/home.htm)
12.	Treaties in Force and Applicable to the Hong Kong Special Administrative Region, Department of Justice (http://www.legislation.gov.hk/interlaw.htm)