



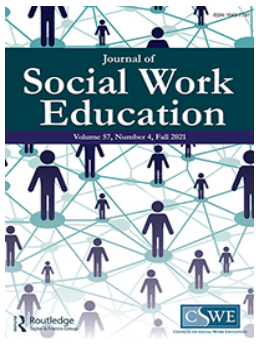
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# The Importance of Teaching Social Work as a Sociolegal Practice: An Irish Perspective

Joseph Mooney  and Caroline McGregor 

## ABSTRACT

It has been argued that social work is the only profession that is based on a sociolegal expertise. In this article we suggest that this expertise differentiates social work from related social professions; requiring advanced sociolegal practice skills and a particular approach to sociolegal education. In a sociolegal environment, social workers and legal professionals practice in a space between service user and their wider environment. We demonstrate the importance of social work students developing competence in the use of the law and how a socioecological model can help students develop their sociolegal practice. We draw from our experience of the Irish child welfare and protection context and argue that specialist sociolegal skills education is required to inform practice across domains.

## ARTICLE HISTORY

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One common feature of professional social work, irrespective of the area of practice, is that it operates within a specific legal framework. This may be law relating to mental health, disability, childcare, capacity, human rights, and so on. Despite this being a standard feature of social work education, with many good texts covering law and social work, there remains a lack of explicit focus on social work as a sociolegal activity and what this means. This is borne out in the face of evidence that social workers can, and do, sometimes struggle with the legal dimensions of their practice, such as presenting in court, despite this being a likely requirement at some point in their practice. We begin our article with an overview of the challenges highlighted from an Irish perspective; challenges that have wider, cross-jurisdictional, resonance. In Ireland, the differing perspectives and views of social workers and legal professionals have been exposed in recent work by Coulter (2015, 2018) and Halton et al. (2018); in some instances suggesting a lack of understanding of each other's roles, process, and priorities. Taylor (2006) highlighted the difference in education between both professions; but while difference exists, we argue that it is in this context, of social work education, that we can begin to address this divide. An overview of the literature relating to social work and the law that is commonly used in social work education is provided as an example of current approaches.

The article's central thesis is that, while existing resources are valuable in developing an understanding of the law within a social work context, a more concerted focus on sociolegal skills is needed. To advance this, we suggest that Bronfenbrenner's (1979) ecological model can be used as a means of helping social work students better understand the interplay and interrelationships between social workers, legal practitioners, and clients on one level, and overarching legal doctrines, process, and skills on another. We argue that the use of such a model places emphasis on engagement at different levels of a system, levels of interaction, and proximal processes involved in sociolegal practice. It is argued that this involves differentiating the nature of sociolegal practice depending on the nature of the practice, ranging from community and informal support to forensic legalistic casework. In this instance, child protection and family support are used as an illustration.

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Overall, we suggest that within social work education and practice there is a case for a more explicit recognition of sociolegal skills as a particular domain in their own right and that these skills and context can be taught via an existing model that is familiar to both social work educators and students. In doing so we examine the notion of social work as a sociolegal activity and as a practice of governance, drawing in particular from the work of Nigel Parton who has developed the concept of sociolegal practice most extensively in his work *Governing the Family* (1991) in the United Kingdom and developed by Skehill (2004) in relation to Ireland. This leads to a summary of what might be considered the distinctive skills involved in sociolegal practice and how these can be best imparted via the ecological frame.

## Opportunities and challenges in relation to social work education and the law

In Ireland presently, there is heightened focus on social work engagement with the legal system with respect to childcare proceedings. This focus provides a great learning opportunity for social work education across domains of practice. While this article focuses on Irish developments, the issues transcend common challenges in other jurisdictions. The Child Care Law Reporting Project (CCLRP), one such example of this focus, has provided one of the most comprehensive insights into the practices and process of childcare proceedings in Ireland. The project was established under the Child Care Amendment Act 2007, which provides an exemption to the *in camera* rule allowing CCLRP staff to access childcare proceedings in the court [see also a similar, short-term study conducted by McKeigue and Beckett (2010) with respect to childcare proceedings in the United Kingdom]. The project provides detailed reports of such cases, making them available to the public and thereby accessible as teaching and learning resources (see [www.childlawproject.ie](http://www.childlawproject.ie)). This resource has contributed significantly to how knowledge and understanding about the law and social work, for students and practitioners, can be taught within the Irish context. As well as reporting specific cases in significant depth, the project reports identify key skills (and deficits therein) required from social workers, examines how the disciplines of law and social work interact, shows how law and policy are applied in practice, and provides insight into how judges decide on applications made by social work services. The main messages from Coulter (2015) in relation to social work practice cover key areas, including the importance of early intervention and prevention; recognition of need for support services by outside agencies, such as mental health, disability and addiction services; and the importance of social workers' preparation of cases for court. Specifically focusing on social work, the CCLRP recommended that:

Social workers should be trained in the law relating to applications under [childcare legislation]. Social work reports which form the basis of a court application should be tailored to the order being sought, matching the evidence to the threshold laid down in the legislation for the specific order. (p. 41)

As part of this continuing analysis, Coulter (2018) has put forward explicit recommendations in relation to the need to improve social work practice in court cases, whereby social work training in this regard was deemed to be inadequate. Coulter (2018) highlighted the importance of social workers being skilled in concise and precise reporting writing, arguing that lack of training in this regard has led to “unfocused and repetitive reports” (p. 97):

Specific training deficits related to the assessment of sex abuse symptoms and allegations; knowledge of the law involved in care proceedings, including the thresholds required for the various orders provided for in [legislation], the constitutional protection of the family, the requirement that an intervention be proportionate and the right to fair procedures; and an ability to analyse all the information collected about a family and present it in a way that balances positive and negative aspects of the family, avoiding unnecessary repetition. (p. 97)

Coulter (2018) called for further training in these areas to “give social workers more confidence about appearing in court, lessen the time spent in cross-examination and reduce stress” (p. 97). While acknowledging workload pressures and a lack of training available to social workers, the urgency of addressing these limits is emphasized and illuminated by the ongoing work of Coulter and the wider

CCLRP. For social work education, providing this training from the outset is crucial, as Coulter provides strong evidence that suggests that many practitioners have graduated without a sufficiently strong foundation in sociolegal practice specifically.

Halton et al. (2018) added further impetus by highlighting the need for greater interprofessional learning between social work and legal professionals, the importance of attention to the pressures of resourcing, the need for training on court work skills, report writing and presentation of evidence in court, and the need for opportunities for dialog between the different disciplines involved in the court processes. Halton et al., drawing on Swain (2014), highlighting that both professions bring their own perspective and frameworks of understanding that are valid and useful in addressing the problems faced by those who are marginalized or facing adversity. The challenge for social work education therefore is to help students develop awareness of the complexity of sociolegal practice where it can range from engaging at the high end of the threshold for intervention interfacing with criminal justice (e.g., in relation to child sexual abuse) or in the context of “*supportive protection and protective supportive*” practice (e.g., family and community-level support) (see McGregor & Devaney, 2020a, 2020b). They argued that “the child protection worker has to have the skills, knowledge, and values to span this full scale of support and practice, within a socio-legal context” (2020a, p. 5), and they also propose use of ecological theories (and network theory) to enhance child welfare practices.

### Current approaches to integrating law into social work education

Developing legally aware sociolegal practitioners requires certain resources and focus within social work education and social work, and the law is a mainstay in social work education globally. There is a wealth of excellent resources to support social work students in relation to their knowledge and use of the law. In Ireland, texts such as Hamilton (2011), and the work of the IDEA Project at University College Cork (Improving Decisions through Empowerment and Advocacy) ([www.ideachildrights.ucc.ie](http://www.ideachildrights.ucc.ie)) are key contributions. Authors such as Kilkelly (2008) and O’Mahony (2019) have also contributed greatly to our knowledge, specifically regarding children’s rights and the law in the context of social work practice. In the United Kingdom, the ongoing work of authors such as Dickens (2012) and Masson et al. (2019) is complemented by general texts, such as those by Brammer (2015) and Guthrie (2018), providing useful insights and acting as persuasive authority for other jurisdictions. Elsewhere and internationally, works such as those by Raymond (2000), Reamer (2005), and Saltzman et al. (2015) (United States) provide region-specific insights in the use of law in social work practice, each jurisdiction facing its own unique issues due in part to different legal systems and approaches.

Jill Miller, professor in social work at the University of Wisconsin–Madison, writing in 1980, summarized the dimensions of learning required as four “general facets of legal knowledge that social workers should know” (p. 89). Miller listed these as (a) the Function of Law in Society (e.g., court systems, sources of law); (b) concepts governing the operation of legal systems (e.g., adversary process and due process principal); (c) substantive law of a particular field of practice (e.g., mental health, child protection); and (d) legal skills (e.g., legal research and access to the law and testifying and providing reports) (adapted from Miller, 1980, p. 90). It is the latter that we argue needs greater attention in social work education.

Valuable as these resources are, it would seem that overall, we have placed too much emphasis in teaching content on knowledge and application of the law and perhaps not enough with regard to practicing in a sociolegal capacity with a focus on the skills needed for this. It would seem that while there are a range of texts to draw from, the connection between learning from the law, to implementing this in social work practice is incomplete despite the fact that discussions regarding the need for greater focus on legal skills in social work, not just in the child protection domain, go far back. For example, Miller (1980) echoed contemporary views by highlighting the need for social workers to understand the law:

To be truly effective in meeting client needs, the social worker, regardless of the setting or problem at hand, must include among his or her tools an understanding of the law and legal processes, and the ability to utilize legal skills in problem-solving efforts. (1980, p. 87)

Miller (1980) goes on to state that social work is a profession that draws on the skills, knowledge and techniques of other professions and that “arbitrary barriers” between one profession and another should be ignored (p. 88). Jankovic and Green, writing in 1981 (also in the United States), again highlighted what they called a “critical need for the integration of basic legal concepts into social work curricula” (p. 28). Jankovic and Green set out four problems that have historically impeded social workers’ development of legal knowledge that continue to resonate in the present day. The first of these was the lack of legal training in social work education. The second was a more practical problem of a traditional lack of legal material and access to precedents in social work offices; it is arguable that this may still be an issue. Third, they cited a lack of access to legal counsel. In terms of child protection social work in Ireland this is somewhat remedied with social workers having recourse to in-house legal advice (see further Halton et al., 2018). Finally, they stated that practitioners often learn legal skills too late, emphasizing the need for the integration of legal knowledge and awareness into social work education (pp. 29–30). While we suggest that some of these issues have been rectified, in an Irish context at least, the issues of legal training in social work education and, related to this, the issue of practitioners learning legal skills too late, serve to be continuing issues. Jankovic and Green (1981) concluded with what they saw as two broad groupings of legal concepts that should appear on social work curricula. The first are the laws regulating areas of practice and the second are the rights of those client groups affected (p. 34).

Examining this issue more closely, Braye et al. (2003) used an enquiry-based approach to examine law in social work education. Their article, interestingly cowritten by social work students and tutors, highlights that social work law is not static and requires a combination of “knowledge of the law with less tangible features such as professional purposes and values” (p. 480). In a broader approach to those authors discussed above, Braye et al. emphasized the need for practitioners to “engage in critical analysis of legal frameworks, reflecting on the nature of the duties and powers available, and using them to support ethical practice” (p. 480).

With regard to the challenges of operating within the legal system, Braye et al. (2013) showed how social workers in the United Kingdom often used their legal knowledge in an implicit rather than explicit way, knowing its relevance but not drawing directly on it. In addition to other authors from the United States as discussed above, Taylor (2006) highlighted the cultural differences in the training of law and social work students in the United States as a major obstacle to effective interdisciplinary practice. While some social workers can of course operate with a high level of legal knowledge and awareness, Burns et al. (2018) showed how some social workers in Ireland experience the court system as adversarial and consider that social work, as a discipline, is not afforded respect and recognition in this legal context. They make the important point that social workers, by virtue of their role, are often required “to intrude into the strongly protected sphere of family life” with decisions often involving an assessment of the legal rights at stake (p. 113). Legal professionals are, understandably, more proficient in legal skills; however, social workers bring an in-depth knowledge of the complexities of balancing the privacy of family life with protection and an understanding of the dynamics within and outside of family systems.

Recently, Bernard and Greenwood (2019) provided an interesting example of this struggle with respect to social work with affluent families. They found that

social workers had to be able to articulate a clear understanding of the statutory guidance and legal framework informing the decision-making processes, since affluent families frequently had good legal knowledge and support, and thus were more likely to question their decisions. (p. 10)

This again emphasizes the need for social workers to develop legal skills and knowledge and to become sociolegal practitioners. Of note in the study by Burns et al. (2018) was that the social workers interviewed made recommendations that were mostly external to the profession of social work, such as the need for further training for judges and legal practitioners with respect to social work practice, “rather than reflecting on how changes in their practice could improve the system” (p. 120). Findings such as these are important to use in education to increase critical awareness and reflection about how social work can contribute to

a change in court and legal practices but also to develop skills that promote social workers' ability to be assertive in their sociolegal practice and recognize and promote their specific role, value, and expertise within the legal process, potentially leading to more explicit sociolegal practice and use of the law.

There are many issues arising from this brief discussion that point to the importance of developing a greater understanding of the roles and perspectives of the disciplines and law in education and opportunities for creating better mutual and critical understandings. With this in mind, it is suggested that one way to crystallize the social work relationship with the law is to revisit the emphasis on the social worker as a sociolegal expert. This is an emphasis that authors such as Nigel Parton have expressed over the past 5 decades, and yet it still does not feature as prominently as one would expect in social work education relating to law in that it is more often presented alongside the other purposes and functions of social work, as articulated in introductions to the profession rather than a discreet and significant area of skills training in itself. In terms of theory, Parton (1991) has contributed significantly to this field in his classic work *Governing the Family*, which described the development of social work from medicosocial to sociolegal. As his later work developed this became further defined in terms of sociorisk (2014a, 2014b). Parton drew from core authors, such as Philp (1979) and Foucault (1977), to help understand the nature of social work and work focused on governance and governmentality to discuss the process of sociolegal practices. Drawing from Parton's work, Skehill (1999, 2000, 2003) has tracked the development of social work in Ireland, from sociospiritual to sociomedical and on to sociolegal. Skehill asserted that in fact, the sociolegal function of social work has been one of the main continuities in the development of social work and continues to be the core nature of practice in that jurisdiction (see also McGregor, 2015; McGregor & Devaney, 2020).

The work of Philp (1979), on the nature of social work, continues to be cited (see for e.g., Hyslop, 2018). Philp referred to social work as a practice of mediation in the social being involved in the creation of subjects whereby the objective behavior of the individual is outweighed by their potential to improve—the potential subjectivity (Skehill, 2004). This aligns with the core role of social work as balancing care and control and implies that a key task is to mediate between subjective interests and objective processes, one of those being the law. In the section that follows, we consider how we can enhance education about sociolegal practice in social work through use of the ecological model.

### **Enhancing the teaching of sociolegal skills within an ecological framework**

The ecological model is an established framework that is used to inform child protection assessment, decision making, and practice (see, for e.g., McCormack et al., 2020b in relation to Irish social work). When operating in a sociolegal environment, social workers operate and mediate in the realm between the individual or family and their wider community or environment. This role requires social workers to negotiate the interaction between these socioecological environments (individual—micro and meso, and wider context—exo and macro); including supporting and empowering individuals to conduct these negotiations themselves. In practice, for example, this can range from supporting a parent to access supports to which they may be eligible in their local community, to situations of supporting children and families to engage with the court services at exo and macro levels. This wide range of roles and negotiations creates challenges not only in practice but also in the process of educating new social workers.

The ecological framework theory, proffered by Bronfenbrenner (1979) and later Belsky (1980), presents an ideal educational tool by which to demonstrate to students the complex sociolegal negotiations that form part of the practice of social work (see Jack, 1997 for a comprehensive overview). The ecological model as developed by developmental psychologist Urie Bronfenbrenner (1979), was initially designed as a new perspective on child development. In his seminal text, *The Ecology of Human Development*, he defined the ecological system as a “set of nested structures, each inside the next, like a set of Russian dolls” (p. 3). Bronfenbrenner outlined the layers of this “doll” as follows and we have added examples of where the roles of law and social work may interact at each level:

- (1) **Microsystem:** “a pattern of activities, roles, and interpersonal relations experienced by the developing person in a given setting with particular physical and material characteristics” (p. 22). Sociolegal issues at this level can relate to the individual themselves. Knowledge and awareness of personal and human rights are critical at this level to fully advocate on behalf of the individual. Examples of such may be personal rights under the Constitution (in Ireland), such as the right to a good name, right to privacy, or individual rights under the Universal Declaration of Human Rights.
- (2) **Mesosystem:** “comprises the interrelations among two or more settings in which the developing person actively participates (such as . . . family, work, and social life)” (p. 25). An obvious example of issues that cross the sociolegal divide in this sphere are those issues that affect the individual in the family setting. Family law matters frequently arise as aspects of, or central to, child protection and welfare concerns. Knowledge and awareness of family law proceedings, domestic violence legislation, and the legal aspects of child custody, access, and guardianship are critical aspects of sociolegal practice in the area of child protection and welfare.
- (3) **Exosystem:** relates to “one or more settings that do not involve the developing person as an active participant, but within which events occur that affect, or are affected by, what happens in the setting containing the developing person” (p. 25). The exosystem combines components of both the meso- and macrosystems. Issues to be aware of in this sphere are how others’ legal rights and responsibilities may interact with one another. One example here could be changes in the law (a macrosystem factor), such as the implementation of mandatory reporting. Such a law obliges a professional to report certain concerns to child welfare services and therefore thrusts an individual into contact with social work services where they otherwise may not have been. A working knowledge of how such legal instruments affect both practice and service users is arguably the essence of sociolegal practice.
- (4) **Macrosystem:** encompass “consistencies, in the form and content of lower-order systems (micro-, meso-, exo-) that exist, or could exist, at the level of the subculture or ideology underlying such consistencies” (p. 26). Macrolevel sociolegal factors may include issues such as changes in the law, new policy developments, and legal precedent that may affect the lives of individuals with whom social workers engage on a daily basis. In Ireland an example of this is the ongoing development of legal precedent and social work policy with regard to how social workers assess allegations of child abuse and neglect, with social workers required to be aware of differentials in social work and legal burdens of proof—the former concluding assessments on the balance of probabilities while the latter being held to the higher bar of beyond all reasonable doubt. Such changes affect social work practice, individual service users, and responses and interactions with persons suspected of alleged abuse (see Mooney, 2018 for more on this).
- (5) **Chronosystem:** involves ecological transitions over time. As social work practice evolves to meet contemporary societal issues (e.g., forced marriage, online abuse, mental health and capacity, sexual identity recognition, and rights and challenges regarding expanding global migrant populations), sociolegal practitioners are those who keep abreast of such changes and have the requisite skills to find and access information relating to same. Legal research skills are critical here and knowledge around acquiring such information is important in terms of sociolegal education.

Bronfenbrenner acknowledged that, at his time of writing, these were not unfamiliar concepts within psychology or the social sciences; “moral activity, dyad, role, setting, social network, institutions, sub-culture, culture” (1979, p. 8). What was new, Bronfenbrenner suggested, was the interconnectedness of these systems and phenomena. The sociolegal nature of social work sits outside the meso sphere negotiating interactions with the wider exo and macro environments with which the service user may not be directly engaged, but that still may influence their daily life. What is useful in terms of the education of the sociolegal aspect of social work is to use the ecological model, a model familiar to social work students, to compare the roles of both social workers and legal practitioners.

Before progressing, some of the limits of the ecological model should be noted. Generally, it has been used too passively as a tool to map levels of understanding and intervention, whereas here we advance further the ideas from Bronfenbrenner about looking specifically at interactions between the different levels. It is also important when applying this work to differentiate between Bronfenbrenner's earlier work, most notably the Ecology of Development (1979)—referred to as ecological systems theory—and later developments of this where he developed and adapted his ecological model to include the chrono level and the bioecological model (Bronfenbrenner & Ceci, 1994; Bronfenbrenner & Morris, 1998, 2006). More emphasis is generally placed on the context aspect of his work—the concentric circles—and less use made of the process, person, context, and time (PPCT) framework that is discussed below. It is also important to note the critiques of the application of the model in different studies illuminated most comprehensively by J.R. Tudge et al. (2009, 2016), noting its inaccurate application in many studies across social and health science studies.

Following on to use Bronfenbrenner's work more deeply, we can argue that the micro-chrono levels of the ecological framework provide a context to assist students in understanding the different levels where sociolegal practice resides and the different forms of knowledge and skills that are required at the different levels. It also allows students to “hold” multiple sociolegal concepts and domains at once, such as the broad categories of laws regulating areas of practice and the rights of those client groups affected, as outlined above by Jankovic and Green (1981). As well as operating from micro to macro levels, there is also a need for development of capacity to differentiate the nature of sociolegal practice depending on the focus, ranging from community- and informal-level support to forensic legalistic casework and to distinguish and use both a knowledge of the law and the more intangible professional purposes and values as discussed by Braye et al. (2003).

From our review of the literature, we argue that the following specific skills are core to sociolegal practice relating to work inside and outside of courtroom settings. General skills include: assertiveness, open communication, and ability to read, interpret, understand, and critique the law (Coulter, 2015; Halton et al., 2018). The practice of being open and honest, particularly in terms of communication skills, in legal-based work with service users was also highlighted as a key issue in the Cleveland Child Abuse Inquiry (Butler-Sloss, 1988) and subsequent Munro Review of Child Protection (2011). In the latter, Munro urged social workers to be “vigilant about working within the law to protect individuals' privacy,” specifically in the context of sharing sensitive service-user information (p. 126). Skills specific to legal report writing include abilities to be concise, summarize core data, and provide clear analysis of that data (Hamilton, 2011). Within court itself, the ability to work in a cooperative and interdisciplinary manner, show confidence and assertiveness in self and profession, use evidence to back up arguments, provide clear and concise analysis, and explicitly practice within a human and children's rights framework (Coulter, 2015). To frame these skills conceptually and to develop them within social work education, we suggest the ecological model can assist as an overarching framework within which to discuss social work as sociolegal practice.

In addition to thinking about context, Bronfenbrenner also emphasized the significance of thinking about process, person (context), and time, although this aspect of his model is less discussed within a social work context. Time relates to the chrono level referred to earlier but also to the moment in which interactions occur. This could be the moment of contact with a service user in relation to a sociolegal intervention, such as responding to a child protection referral—as studies from service users show, the first point of contact often has a significant effect on their experiences of sociolegal interventions (Buckley et al., 2011). Process is key as it relates to the interactions between the different aspects of the system and in this context, we are referring to sociolegal processes. For example, a key part of sociolegal practice with families is negotiating and mediating between risk and support for that family facilitating interaction between the macrolevel legal doctrine and the microlevel individual circumstances. The complex interplay and dynamics between micro and meso levels in relation to many family interventions relating to neglect and abuse requires a specific mix of sociolegal skills; especially with regard to clarity of legal duty versus legal rights. It requires an ability to be assertive and supportive in tandem and skills in providing clear and open communication between different people within the systems involved. Using the ecological framework, allows students to think of their

sociolegal practice in a frame that is familiar to them, thereby increasing its applicability and complementarity with other skills and knowledge they are acquiring. This conceptualization of the skills required may assist social work students in not only focusing on the skills and topic at hand (i.e., social work law), but also integrate their learning from other modules and topics; for example, human relationships, counseling skills, social work theory, and practice placement learning. Interaction between the system of the worker and the court is another level to consider and as discussed earlier, the urgent need for improvements in interactions between the professional social worker and the legal system can begin to be developed at the level of social work education, from microlevel individual skills to exo- and macrolevel knowledge and interaction with the law. The PPCT framework that has been used in Bronfenbrenner's work can be used to add important depth to the nature of sociolegal practice for students to advance their learning to the necessary level of sophistication expected for effective practice across a range of fields, including mental health, safe-guarding, probation, and child and family social work. Adaptation of existing uses of this model by McGregor and Devaney (2020b), for example, may prove useful in developing specific teaching and learning tools in this respect, enabling students to visualize sociolegal issues and interactions within and across layers of the ecological and PPCT models (see McGregor & Devaney, 2020b for more on this).

Taking child protection and family support as an example, a child protection and welfare worker presently working in the Irish system is expected to be able to adapt their sociolegal skills in a way that ensures protective support and supportive protection (McGregor & Devaney, 2020a, 2020b) throughout the different levels of need and risk regarding children and families. The person in PPCT, the social worker, needs to be flexible and capable of balancing support and regulation, managing their power and adapting their interventions depending on whether they are intervening through early intervention at an informal family and community setting or whether they are the social worker on the forensic team addressing high-level sexual abuse allegations. The process determines how power is managed and skills of openness, honesty, assertiveness, and demonstration of knowledge are applied depending on the level of intervention (see also McGregor, 2015). The context adds further depth, especially to the exo and macro levels. Is it mostly the wider community, school, and universal services that are the focus of interaction in the ecological model or is it the court system and police service that are the focus of the exo and macro levels? In all of this, time (the chrono in the ecological system) has huge implications in sociolegal practice at all levels of the system; the moment in time an intervention happens in a family's life, how early or late an intervention or incident occurs, the time the (exo) system takes to deal with legal issues (and effect of delays) and time in terms of context of law, policy, and practice at specific moments that both enable and constrain the scope of sociolegal practice and the effect these issues can have on the lives of service users (Buckley et al., 2011).

## Discussion

In this article, we have drawn from the literature and relevant reports relating to Irish legal systems (e.g., Coulter, 2015, 2018; Halton et al., 2018) to highlight the specific skills on which we should focus when training and supporting social work students to develop their sociolegal practice. Drawing on such sources it is evident that skills of professional and legal assertiveness, open communication, and an ability to be clear and concise in terms of one's interrogation and use of the law are all core to competent sociolegal practice. We argue that this aspect of education is key in social work. This article has drawn on examples of social legal practice in child welfare and protection, but these skills and abilities are equally important for sociolegal practice within a range of settings. Within probation, one might say that the practice is exclusively sociolegal in focus and we recognize the need for separate and specific attention to this area of social work practice (see as an example Smith, 2005). While we can make some progress through increased emphasis on social work as a sociolegal activity in training and education for social work, especially using an ecological approach as we suggest here, we also need to strengthen joint training between social work and legal professions. Similar to Taylor (2006) and others we argue that, in the main, both legal and social work professions sit in the same

area of the ecological model; supporting and assisting clients and service users through their negotiations with a sociolegal world, albeit with a different mandate. Deck (2016) put it succinctly where she stated that “members of both professions seek to aid clients in navigating tumultuous times, improve personal and professional relationships, and engage their clients in intensely private discussions in an effort to improve a client’s situation” (pp. 261–262). Both professions bring important expertise to the table, with social work specializing in aiding the understanding of complex family and social processes and the legal professions aiding in understanding the letter, process, and implementation of the law. The evidence from reports (Coulter, 2015, 2018) and from service users themselves (O’Mahony et al., 2016; Pearce et al., 2011) makes it very clear that there is an urgency for both professions to not only develop a better understanding of, and ability to interpret, relevant legislation in their area; how their practice and the needs of their clients interact with the law; and how the law affects their practice, but also in the action skills of mediation in the social between the law and the child/parent/family. While it is recognized that the nature and extent of specific sociolegal practice will vary in different settings, we argue that sociolegal skills are a core requirement for professional social work education and continuing professional development. Trevithick (2005), in her text examining core social work skills, emphasized the importance of legal knowledge, suggesting that social work is often guided and controlled by a legal mandate and, drawing on Braye and Preston-Shoot (1995), goes on to state that “familiarity with the law and requirements of Government may be an important level from which to argue for services” (p. 18). Emphasizing Parton and Skehill, as discussed, this is something that differentiates and identifies the specific form and nature of social work as a strategy. Another important discussion point from this article is that, to date, most work available on sociolegal skills is in relation to child protection and welfare social work and indeed, this is what we have relied on in this article also. As we have argued, these skills are relevant across a range of domains of practice, including probation, safeguarding, and mental health, although each area has tended to develop its own pathway in this regard.

This article also argues that the enhancement of sociolegal skills for social work can best be achieved through use of the ecological model and specifically with greater cooperation and joint training between those involved in the legal profession and those within social work, and that this should begin at the early stages of social work education. In this cooperation, each profession will bring its own expertise of working with family and childcare legal issues, from the family home to the court work setting, and work collaboratively toward improved outcomes for the many children and families who are social work clients and who require a form of sociolegal intervention. Using the ecological frame, a model widely used in social work education, provides a familiar tool and theoretical approach that may allow students to create conceptual linkages between subject areas within their social work training. There is also scope to do more to bring together the learning across the different fields of social work to add further depth and sophistication to sociolegal skills in the profession. Given that this is one of the most clear, distinctive features of social work—vis-à-vis other social professions—the value of doing this is intensified in the present when much debate abounds about the role of social work vis-à-vis social care; for example, in the child and welfare services (Clarke, 2019). While the value of continued expansion of joint working between social work and social care is to be welcomed and valued across services, it remains important that the particular necessary contribution of the professions is also demarcated. More clarity on the distinctiveness of social work as a sociolegal profession, particularly at the level of social work education, would help increase public understanding of social work specifically and aid in this clarification.

## Conclusion

The evidence is strong that a defining feature of professional social work practice, as Hyslop (2018), Parton (1991), Philp (1979), and Skehill (2004) have most strongly argued, is mediation in the social. One of the main mechanisms that defines and enables that mediation is the legal rights and capacity that exist to intervene. Despite this emphasis and historical continuity it seems that social worker engagement with the law continues to be an implicit exercise that in some cases presents a lack of authority and professional confidence and needs to be made more explicit and embedded in our approach to social work education. In this article, ecological theory (Bronfenbrenner, 1979; Bronfenbrenner & Morris, 1998) is drawn on to chart

how sociolegal social work education can be enhanced with a focus on the multiple levels. It can also be used to demonstrate the role of both social work and legal professions within the same ecological space, arguing that both assist similar client groups but from sometimes different perspectives, and explore how this can be engrained in social work education. By clarifying what the specific sociolegal skills of social work are and mapping them on to a framework that is familiar to social work's ethos and perspective, it has much to offer an approach to impart sociolegal skills as part of social work education. While developed specifically in relation to child welfare, an overt sociolegal approach is also core to mental health work, adult safeguarding, criminal justice, and work with disabilities. This requires knowledge of the relevant law but also skills in relation to how to operate within a sociolegal capacity. By establishing sociolegal practice skills more firmly at earlier stages of social work education, we then create scope for further and ongoing advancement through ongoing Continuous Professional Development into practice and postqualification.

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