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GUIDELINES FOR THE PREPARATION OF SECTION 20 REPORTS

Prepared by Dr Valerie O’Brien, Department of Social Policy and Social Work, UCD

Introduction
Under Section 20 of the Irish Child Care Act, 1991, a health board may be required to undertake an investigation of the circumstances of a child, and to prepare a report for the court. These investigations and reports are prepared by social workers and psychologists employed by the health boards.

Terms of reference
- Provide a guidance memorandum for preparation of Section 20 reports by MWHB staff;
- Advise on any training/ or other relevant issues arising with regard to preparation of Section 20 reports.

Methodology
- Review of international literature relating to child protection and child custody assessments;
- Review sample of Section 20 reports prepared in MWHB between 1997-2001. All reports were read from a number of perspectives including:
  - Including quality as expert witness reports in general and in particular according to quality standards in child welfare assessment work;
  - Appropriateness of referral, intervention and recommendations;
  - Process by which work was undertaken;
- Identify best practices and incorporate these into guidance.

Scope of the Guidance
This guidance is not intended to be exhaustive or mandatory. The aim is to assist practitioners engaged in evaluation assessments requested under Section 20 of the Child Care Act, 1991. The Guidance should not be seen as prescriptive. It is essential that practitioners make their own judgements as to what is needed in any particular case, but the principles of the guidance should be adhered to. The primary emphasis is to enable a service to be provided to the court in respect of children and parents for whom protection and child welfare, and perhaps custody evaluation is required.

Limitations
This guidance is not an evaluation of the current Section 20 service, nor does it specify detailed recommendations or performance indicators for this service. However, it may be helpful to compare with experience in the USA as a baseline, where such assessments take on average 26.4 hours to complete (Ackerman 2000). Geographical considerations may affect this time scale.
Layout of Guidance
The main headings of the guidance are as follows:

- Introduction
- Legislation
- Key Principles and Ethics
- Knowledge and Skills
- The Process of Assessment
  - Referral
  - Commencement
  - Biographical information pertaining to Parents
  - Interviewing the Children
  - Collateral Information
  - Decision Making
  - Custody Recommendations
- Writing the Report
- Presenting the Report

Legislation

Section 20 (1) of the Child Care Act, 1991 provides as follows:

Where . . . . . it appears to the court that it may be appropriate for a care order or a supervision order to be made with respect to the child concerned in the proceedings, the court may, of its own motion or on the application of any person, adjourn the proceedings and direct the health board for the area in which the child resides or is for the time being to undertake an investigation of the child’s circumstances.

Section 20 (2) provides that

Where proceedings are adjourned and the court gives a direction under subsection (1), the court may give such directions as it sees fit as to the care and custody of, or may make a supervision order in respect of the child concerned pending the outcome of the investigation by the health board.

Section 20 (3) specifies that a health board undertaking an investigation of the child’s circumstances shall consider whether it should:

(a) apply for care order or for a supervision order with respect to the child,
(b) provide services or assistance for the child or his family, or
(c) take any other action with respect to the child

Section 20 (4) provides that where a health board undertakes an investigation under Section 20 (1) and decides not to apply for a care order or a supervision order, it shall inform the court of:

(a) its reasons for so deciding
(b) any service or assistance it has provided or intends to provide, for the child and the family, and
(c) any other action which it has taken, or proposes to take, with respect to the child.
Key Principles and Ethical Considerations

Child ‘s interest and decision-making.
- Recommendations should be based on what is in the best interest of the child. The “best interest of the child” is both a legal and psychological concept.

Child protection and child custody
- It is fundamental to distinguish these two potentially different context markers, which have different implications for intervention.

Referral for child custody evaluation
- Strictly speaking, it may be argued that service designed to meet Section 20 requirements is not designed for child custody evaluation referrals. It is common however that child custody issues are central to many of the cases referred. It is likely that the child will experience distress and potential harm arising from the relationship issues and family crisis that bring their parents before the courts. To this end, the assessment of the child’s needs as directed from the court cannot but consider the custody and contact issues that are often at stake.

Social Worker role and conflict of multiple roles.
- It is important that social workers and psychologists avoid multiple roles when involved in conducting a Section 20 assessment. Avoiding multiple roles means it is important to avoid situation where loyalty is owed to more than one person or institution, or that may compromise the quality of judgement by involving a conflict of interest.
- This should also include examining past involvement with any of the current participants, and how this may also impact on judgement or the perception of judgement. In essence, it is recommended that a person carrying out a Section 20 report should not have had past or current involvement, other than the task of Section 20 investigation and assessment.

Awareness of dominant societal views and need for a self reflective position.
- Social worker needs to be aware of personal and societal biases and engage in a non-discriminatory way. Biases are not necessarily negative but they should be identified explicitly by the social worker. An example of a societal view is evident in Ackerman (2001, p 104) for example, where he found that judges and lawyers were more likely than psychologists to view a mental illness in a parent negatively in custody decision-making.

Be fair, ‘objective’ and extensive in the assessment of all the parties involved.
- There is clear need to be, and to be seen to be fair, ‘objective’ and extensive in dealings with and assessment of parties involved.

Avoid asking the child directly where and with whom he/ she wishes to live.
- This action would be harmful in most cases. To assign this level of responsibility to a child could result in the child having an exaggerated sense of their own power and could lead to guilt and or betrayal-induced difficulties later in their life. Children aged sixteen and over should be consulted re the decision making in a way that reflects their developmental stage.
Do not make recommendations without seeing both parents.

- Establish legal status of parents, as well as the psychological role that both parents played in the past, and present, in the child’s life. Each parent with legal status should always be informed that the assessment is being conducted.

Limits of confidentiality

- In view of the statutory nature of the Section 20 direction, it is essential that the social worker understands the limits of confidentiality, and is very clear as to who is commissioning the report. Individuals must be made aware that what happens during the assessment may not be confidential. A ‘release of information’ form should be used in such a way that it allows for an exchange of information between the social worker and other parties. It is advisable that the participants are asked to sign a confidentiality statement which along the following lines:

  'I understand that the assessment as requested by the court under Section 20 of the Child Care Act, 1991 is not confidential. Information will be available to the court, solicitors and possibly other parties as it pertains to this case and consent is hereby given for the release of this information’

Child protection protocols allows for exchange of information. However, many of the referrals will not necessarily fall within the child protection protocols after the initial assessment.

Report Writing

- The report should not be the vehicle for recording the investigation process or in-depth details of the case. The detail should belong to case notes, and supervision conversations.

Knowledge and Skills

- It is essential that social worker keeps abreast of knowledge and developments within the field. It is also important to realise that expert knowledge is socially constructed. Key aspects of knowledge in this field will include:
  - ‘Normative’ child, adolescent and adult development;
  - Agency Child Protection protocols and Children First;
  - Normal development and psychopathology;
  - Impact of attachment, and separation;
  - Marital and relationship discord and impact on children;
  - Effects of separation on children at different age levels;
  - Legislation governing custody and access, and differences in custody arrangements;
  - Family dynamics and family life cycle changes;
  - Parenting capacities and how diminished capacities impact on child development;
  - Understand the dynamics of ‘Parental alienation syndrome’.

Need for multiple methods of assessment

- It is likely that a Section 20 assessment will involve different methods of data collection, analysis and decision-making. These may include:
Reviewing material (school and medical records, psychological records if available),
Interviewing parents, children and significant others,
Observation,
Identifying and liaison others professionals involved in current issue.

Skills:
- The skills of assessment, communication, negotiation and mediation are core for dealing with those involved in the family/extended family, as well as the court/legal and agency systems.
- The skills for the final stage also are crucial, being report-writing and presenting the report to court.

Referral Process

Receiving the referral and clarifying the task
A clear system needs to be in place to ensure that referrals are received and dealt with promptly. Also the core reasons for referral in relation to the Section 20 direction is stated or clarified. Inter-agency protocols need to be developed to ensure that the referral and clarification is delivered in a speedy, concise and focused manner.

Freedom of Information and rules of discovery requirements.
- Staff need to be aware of this issue, and it is safest to assume that everything in your file is discoverable.

Obtaining informed consent:
- The social worker must work to an ethical position on this aspect. He/she should ensure that any party to the action knows who requested the assessment, (court); who is paying the fees (if applicable) and what are the implications if they decide not to co-operate. It is unlikely that key parties will exclude themselves, but it should be noted that, when the limits of confidentiality are discussed with them, participants retain the rights to disclose or not to disclose any information they wish. It should be remembered that social workers and psychologists are skilled and may create an environment in their conversations where the participants may forget about the limits of confidentiality. Once information is shared, the social worker has responsibility to tell the participants how it will be used.

Use of records
- As part of obtaining informed consent, the social worker should obtain consent for contacting other service providers relevant to the assessment, as well as getting clearance to consult the agency own records.

Supervision
- Supervision should be core in the assessment. It is imperative that this is available at
  the referral stage,
  the assessment, and
  report completion stage.
Supervision should ensure quality in the standard of assessments, in addition to case direction when the social worker encounters clinical challenges that needs assistance.

Commencing the Assessment

Managing stress
- One of the earliest tasks in the process is minimising stress, as it is likely that each family member will be experiencing some level of personal crisis engendered by the court proceedings. It is important that the social worker does everything possible to minimise the stress involved in the process. One of the best means of doing this is to discuss the nature of the assessment thoroughly with participants, and to ensure that everyone know what to expect. It is also important to avoid exploring issues which only have minimal impact on the situation under consideration.

Record keeping
- The social worker should record all the steps in the process as it develops. All records created should be kept on the case file. See above re Freedom of Information and discoverability.

Who to contact
- The child’s family and social network needs to be reviewed. genograms, ecomaps and sociograms are useful tools to facilitate this process.
- Key people from the different domains, when identified, should be involved in the process. It is important to remember that opinions on people should be based on information arising from meetings with family members and other professionals and specific written reports. It is important that the principle of avoiding ‘hearsay’. Hearsay is neither good ethical practice, or legally permitted in the court

Process of Contacting Persons
- It is important to remember that as a social worker, you may be conducting Section 20 reports on a regular basis, while for most parents this is the only Section 20 assessment they will have been involved with.
- Parent can be interviewed first, and then meet the children, or interviewing parents can be staggered, meeting them both before and after interviewing the children.
- It is more important that the focus is on those areas and issues relevant to the assessment of the child’s needs. The purpose is to establish if a recommendation should be made in respect of a care order, a supervision order, the extent to which a particular custody arrangement should be made, and what specific services are required. Approaching the task from a detailed biographical assessment from birth to the present time may lose the fit required with the task referred by the court.
Interviewing parents

- Interviewing parents separately is essential. If there is a change of circumstances over the course of the assessment, and there is an indication that the child’s situation may benefit from meeting both parents together, that option can then be considered.
- It is essential at all stages that the social worker’s role is one of assessment, and does not include a therapeutic/ mediation or advocacy role. There will be instances where the assessment process may have an impact, e.g. on parents willingness to make plans better suited to their children’s needs.
- Different type of questions, ranging across open, circular and future questions are important in facilitating full conversations with all parties.
- It is important to seek to avoid one parent spending most of the time documenting the deficits of the other parent. You can point out that if this occurs, you will have limited information when it comes to writing the report to highlight both parents views, abilities and preferences.
- If life is relatively straight forward, the parent interview could be expected to take approx. two hours. More complicated family situations may take longer and decisions need to be made as to the preferred pacing, depending on issues and where person is currently at.

Topics to be investigated

- One of the best places to start is to ask parents to explain their understanding of why they are meeting with you.
- The reason why different topics are included needs to be explained to interviewees. The parent needs to be told they can stop the interview at any stage to clarify why such a question or topic is being explored. Equally, if a topic is not understood, it is important to stress that the parent should ask for clarification.
- When basic demographic information is not obtained in a questionnaire/ report prior to the commencement of assessment, this needs to be obtained in the interview process. See below.
- The topics or comments should not be interpreted as a basis for a decision in itself. Instead the information needs to be assessed against the specific referral, taking into account the context, child needs, the parental capacities and service potential to address needs.
- In follow-up interviews, it is important to clarify issues raised by others as they relate to the child’s needs and the specific court referral.

Parent interview - biographical information

The following are some suggested topics for inclusion in this aspect:

- Composition of family including ages of all children, where they are living, and frequency of contact.
- Place of residence; number of moves and description of current living environment.
- Place of employment including job satisfaction, duration of employment. An outline of their other activities may throw light on parents’ capacities. An ecomap may be a useful tool to establish this information in a non-threatening way.
• Educational history: if early school-leaving involved, discuss how this occurred. Negative view of school may be important if a discordant custody case is at issue
• Previous marriage or major relationship history (especially if other children are involved).
• Substance abuse history and previous psychiatric or therapy treatments. (In many cases now parents have availed of services of therapists, so it is important to ask this question directly.)
• Difficulties with the law, focusing especially on when and how this occurred.
• Significant information about family of origin. A genogram could provide important information regarding family patterns re child-rearing, domestic violence and separation issues.
• History of sexual, physical or other types of abuse. Great sensitivity is required in discussing this area, and the relevance of why this is raised needs to be elaborated.
• History of developmental milestones for both the parents and the children involved.
• Major stressors in parents’ lives, and how the parent perceives this impacts on the children.
• Current medical problems

**Parent interview - Information re the child: protection, custody and placement options**

- View of each parent on what is in the ‘best interests of child’ at this point in time;
- Reasons why family proceedings initiated, and how the situation has impacted on the child;
- Child’s overall needs;
- Knowledge of child, their likes etc. It is crucial to assess how well each parent knows the child, and is involved in the child-rearing;
- Best placement option and reasons for this;
- If statutory care or supervision is required;
- Reason put forward as to why the social worker should/ should not recommend a care/ supervision order and other services
- If parental custody preferred over a care arrangement, which parent is in best position to offer this and to meet the child’s needs (the benefits and challenges of both parents providing care needs to be explored);
- Potential for sole or joint custody and preferred living arrangements.

**Interviewing the Children**

- All children from three years of age upwards should be interviewed individually. Clearly, the younger the child, the less they are involved in the interview process. Language limitations, lack of awareness of family problems or unwillingness to respond will impact on younger children’s’ abilities to participate.
- Usually children between 3-5 years prefer to have a parent present. This, however, can be difficult as it is then hard to establish where the child is at. If child is unwilling to be left alone by either parent after a number of occasions, it is necessary to abandon this effort, and instead base views on other partial information available.
• It is important to re-iterate that it is essential never to ask the child directly where they want to live. Ackerman would say that we don’t allow children choose bedtimes, mealtimes, where they attend school etc so why give them such a say in this important domain. However, if a serious child protection issue is at the core of the assessment, the extent to which the child feels safe about where they live is essential to establish.

• Coaching: It sometimes happens that one parent coaches the child to say something particular. It may be useful to ask the child ‘what did your parent tell you to be sure to tell me today?’ If asked the same question later, and if the child gives an equally detailed answer, then attention needs to be made to the content of the information, and the implication of the child being talked to in this way.

• It is important in designing the interview to:
  Allow enough interview time;
  Conduct the interview in an environment designed to put the child at ease, and to minimise stress

**Topics for discussion with the child**

• As part of the assessment, it is important to find out how the child perceives their situation, their parents and environment. These topics should be explored using appropriate language and open type questions.

• Establish the child’s perception of difficulty and solution
  What do they see as the difficulty?
  What do the children see as the solution?

• What has been helpful for them in the past in dealing with the same or similar situations?

• What are the child’s wishes in relation to the situation?

• Do these wishes place them at greater risk?

• Does the child have the capacity and opportunity to protect themselves from difficulties?

• Living arrangements
  What would their response be if the judge were to say they were to live with Dad? /Mum, /foster care etc?

• Contact Arrangements
  Would they like to see their Mum/ Dad more, less, the same?

• Activities with the child. Some of these questions can give an insight into who is more involved in the child’s life…equally it is important to ask about changes in arrangements. What kind of activities does you Mum, Dad, Grandparents. Aunts, cousins etc do with you?

• Who takes you to doctor, helps with homework, prepares meals, buys clothes…….

**Abuse allegations**

• If a child makes an abuse allegation during the course of the interview, then the assessment interview (for Section 20 purposes) should be terminated. This should not be done abruptly, of course. Good practice suggests that, in the conversation with the child who is making allegation, the social worker should ask open questions, and avoid directive statements. It is also important to establish what the child wished for when they decided to tell you this information today.
- The major implication of this situation for the Section 20 assessment is that the focus of the work is shifted from being a broad Section 20 assessment to a specific child protection assessment. The protocols governing the child protection system in the agency will then be primary in shaping the assessment process. The immediate issue then becomes the assessment of the ‘current protection needs of child’. A decision will have to be made in conjunction with the child protection team leader to establish the best course of action in the short term. Further referrals/linkages within the team for a fuller assessment of the child protection plan may be necessary. When a fuller assessment of the allegation is then made, the outcome will dictate whether the report under the Section 20 route is used to address the issues, or if different emergency legal protection is needed.

- **Parental allegation towards the other parent.** Parental allegation towards the other parent is more commonplace in separation cases. Allegations of this nature need to be handled extremely carefully. Good child protection practice should propel action, while the possibility of false allegations are also fully investigated.

**Concluding the child interview**
- It is highly likely that the child will not be able to provide all information required, simply due to the child not knowing or being reluctant to share information. If, however, the social worker has credible, contradictory information from other domains, then it important to put this to the child at the end of the interview. Again the case for doing this should be determined by the purpose of the assessment, and the extent to which this information is of core importance. When being put to the child, the child’s developmental needs must determine the pacing, style and timing of intervention.

**Observing children and parent interactions**
- There is no correct format for observing parent and child interactions. One choice is a formal structure such as game playing (where the rules are prescribed) while the other could be more unstructured. This latter one gives the social worker an opportunity to see how parent handles unstructured activities.
- The social worker should be in the background when observing.

**Collateral Information**

Collateral information refers to information from sources other than the parents and the child. Questions arise as to which collateral contacts will be made, and who will make them, and answers need to be established.

Collateral contacts may include:
- **Extended family members** the people contacted should be those identified as playing a significant role in the child’s life, either at present or in the past. The decision to pursue conversations with people who had past relationships with child should be made on the basis of the issue at stake, and the input this person may have into obtaining a fuller picture or assisting in making future plans. The reason why contact was lost may provide the social worker with important information.
- **Parents new relationship** If either parent is in a new relationship, this person should be contacted and interviewed. If this person plays or will play an important role in the future, an assessment is needed of their involvement. The new person’s
previous marriage and family commitments, their relationship between step-parent and their own children, police records and an assessment of their previous contact with child welfare services are issues that may be pertinent.

- **Other relatives:** The extent to which a serious child protection issue emerges in the assessment will determine the role the extended family may play in establishing the issue and possible providing alternative care arrangements if needed. Likewise if a child custody issue is at the core of the assessment, the relatives who are living with either parent, and those relatives providing day care should be interviewed.

**Existing agency records**
- Check all existing records in the agency. Previous files relating to the child and family should be retrieved. Reading and note-taking are time-consuming and should be scheduled into your work timetable

**School records**
- If the child is known already to the agency and has been in the care of the services, school records may exist. If the child is not known in the care system, direct contact should be made with the relevant school principal to seek information from the child’s teacher. Questions regarding the child’s behaviour in school, academic ability, performance and the level of co-operation from both parents should be ascertained.

**Health records**
- Contact should be made with the family GP and the child health records in the health board to check on health status of the child. The reason for the referral from the court should to be made explicit to the GP. The request for information should be accompanied by a signed parental consent form if possible. If it is not possible to obtain this, the seriousness of the child protection issue under assessment will dictate the extent of information-sharing.

**Mental health services**
- If either parent or child has been in contact with the mental health services, contact should be made and the services provided and an assessment of condition should be established. In contacting the service the purpose of the current assessment and the parental permission to contact the service should be included.

**Police record**
- The decision to obtain a police report is dependent on the initial assessment and the extent to which it suggest that a care order may need to be recommended. Likewise if a serious custody issue is at stake and there is a child protection issue, a police record may be also required. Alongside this, direct questions need to be put to the parents about their involvement with the police and the courts, including if they were ever charged with an offence. Information obtained in this sphere needs to be assessed against the reason giving rise to the Section 20 and the ensuing assessment.

**Custody Recommendations**
The extent to which Section 20 should be used to conduct a child custody evaluation is a contentious issue. One view is that the referrals should be made only where there
is an indication that a care or a supervision order may be a required course of action. However, in the MWHB files examined, it appears that custody evaluation was a major component in many of the cases. The referred cases, many of whom were already known to the health board’s services, fell within ‘family support’ and ‘child protection’ parameters. In the absence of other services, and in view of the interpretation of the applicability of Section 20, it is likely that cases of this nature will continue to form the bulk of Section 20 referrals.

**Decision-Making**

- An examination of files in the MWHB indicates that few if any of the cases referred for Section 20 reports lead to a recommendation to the court that a care or supervision order should be invoked. It is considered that the use of the supervision order should be considered more as a means of improving the child’s situation, especially where high levels of vulnerability have been identified.
- The availability of services locally should not restrict what is being recommended as a result of the assessment. Rather, the recommendation to the court should be based on meeting the specific child and family needs identified, arising from the referral (using a normative and special needs frame of reference).
- An implementation plan should be included with the recommendations, especially when there is a high level of vulnerability, stresses, diminished parental capacity and/or discordant parental relationships evident.
- Single issues should not form the basis of a recommendation. When multiple issues are involved, the assessment should rank these in importance and should outline how the interaction of issues has informed the decision-making. It is important that the social worker involved knows the parameters of what they are being asked to complete and to know the legal, social and psychological basis for decision-making in recommendations for children.
- In making custody recommendation (other than a decision for a care order) Ackerman 2001, p 90 has helpful distinctions in making recommendations re solo or joint custody. Joint custody with primary placement to one parent over sole custody with visits is another option.
- When making sole custody recommendations, the following parameters should be considered
  - Active substance abuse (substance misuse i.e. alcoholism is a major negative factor, while being in recovery is not) parental alienation, psychological stability, and emotional bonding with parents
  - If physical or sexual abuse or serious emotional abuse is an issue, a child protection assessment with the full involvement of the child protection notification system is indicated. A care order should be recommended if there is an inability by a non-abusive parent to adequately protect the child.
- Parameters for recommending joint custody are as follows:
  - Parents’ abilities to separate inter-personal difficulties from their parenting decisions, quality of relationship with child, problems with substance abuse, psychological stability of parents, amount of anger and bitterness between parents, and the parents’ willingness to enter into joint custody arrangements when presented on a forced choice basis.
Joint custody is preferred based on parents’ ability to cooperate, attachment with both parents, psychological health of parents, ability to engage in child rearing, and desire of the parents.

Facilitating the decision-making and recommendation.

- Parental cooperation is of critical importance, and including for mediation services in the recommendation can be vitally important in ensuring the recommended plan of action is realised.

The Written Report

The key component of the Section 20 Assessment is the report. It is vital to reflect on who it is to be given to and who will receive the report, how the information will be used and the format the report will be written in. It is important to distinguish between brief and comprehensive reports. A brief report may be appropriate (2-3 pages) where:

- An updated evaluation is being presented;
- Where there is limited risk to the child and parents have arrived at a positive plan for the child;
- Where it is the social workers and psychologists view that, given the low child protection risk involved and the high level of parental animosity, it would be detrimental to the child’s long term interests if each parent had ammunition provided by a detailed report to use against the other.

In other instances, a more comprehensive report is required. Again, the detail should be synthesised. It is important to stress again that the report itself is not the place for the social worker to work out their assessment! This is the stage prior to the report writing and should be completed through the writing of case notes and supervision.

In extremely complex cases, (especially if a care order is recommended) it will be necessary to provide detailed support for the conclusion reached.

General Principles Guiding Report Writing

- The process ends with a clear, well written report, which is grounded on evidence;
- No one should assume to know everything, so it is important to present to the court the specific matters that will be addressed, boundaries of social worker and psychologist’s competence, factual bases of their role, qualifications, experience etc
- Report is the synthesis of the work completed. It is not a detailed record of the work;
- When using research, be prepared to cite references and to support claims. Be aware of what other researchers are saying bout the same issue. Perhaps use Appendix to list research consulted;
- Confidential statements at the beginning;
- Share report with parents following assessment. There should be no surprises when the respective solicitors share the contents with them. Professional discretion is always needed if there is a considered view that information may
be used negatively. In these rare instances, a summary report may be presented but the substantial issues should be included.

- The extent to which a social worker and psychologist should make a concluding recommendation is a debated issue in Section 20 reports, especially if a child custody issue is at the heart of the referral. If a worker has conducted a comprehensive assessment, an opinion based on professional judgement should be offered. However it is critical that recommendations outside the social workers and psychologists area of expertise are not made.
- Separate facts from opinion
- Distinguish between facts told and observations
- Recommended length: length should not determine quality. Emphasis should be on synthesis of key issues and report of 6-8 pages should be aimed for. This length of course is dependent on, purpose and complexity of report as well as formats used. Flexibility is required but brevity over too much detail should be the goal.

**Key Questions for Supervision in Section 20 Reports**

- Is it written in the style required for the intended audience (legal report)?
- Has the brief been met?
- Were all the facts ascertained?
- Is fact and opinion differentiated?
- Is there a fit between the conclusions drawn and the assessment process?
- Do the facts back up the opinion?
- Are there other valid conclusions that could have been reached?
- Is the conclusion reached clear, adequately argued and supported?
- Are arrangements in place to share the contents fully with the parents?

**Headings of Report**

The following outline of headings are suggested:

- Information re Author and Credentials
- Reason for Referral
- Summary of Recommendations
- Collateral Contact (distinguish between mode of communication i.e. visit, phone, written report etc)
- Background Information including Biographical Details
- Assessment of Main Issues
- Recommendations
- Signature & Date

**Information re. author:** Use Appendix 1 for qualifications and relevant experience (this may be necessary for cross examination purposes)

**Referral Brief:** The task(s) you were asked to do need to be succinctly re-stated. It is important to quote the court order and ‘exact words used in letter of referral’.

**Summary of Recommendations**

State if care proceedings / supervision should be sought
Clear recommendation as to intervention(s) needed/ provided.
Summarise child’s needs, alongside the strengths and concerns relating to parents and state why, on balance, the recommendation is made.

**Biographical Information re Child and Family composition**
The following format is a suggested outline

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to Child</th>
<th>Age</th>
<th>Nature of Contact during Assessment</th>
<th>Address and Tel number</th>
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Consultation with Family/ Professionals and Access to Reports,
This should including all dates. Missed appointments also to be included. The following format is a suggested outline.

<table>
<thead>
<tr>
<th>Name</th>
<th>Role /position</th>
<th>Dates</th>
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**Technical Terms**
Indicate any technical terms in bold and define terms in an appendix

**List Main Issues that will be Addressed in your report**

**Referral History (as distinct from referral brief at front of report)**
What has happened to prompt an application for Section 20 now?
Why is a report needed and what is its purpose?
Why now?

**Detail SW Involvement in Past if Family Known (if relevant to current situation)**

**Background Information**
Including employment, financial status, accommodation and environmental details, accommodation, history of parental relationship, social network and supports

**Profile of Children**
Summary child development profile, health status, attachments, educational attainments,

**Profile of Parenting**
Capacities in relation to meeting the child’s need

**Summary Assessment of Main Issues**
Assessment
Where there is a range of opinion on the matters dealt with in the report, summarise the range of opinion and give your reasons for your opinion.

Analysis frames may refer to
- Severity of situation: type and degree of situation which has or is likely to occur
Vulnerability: related to child’s age, developmental stage and opportunity for difficulty to re-occur
Likelihood of difficulty re occurring or continuing: factors which increases the risk of difficulty re-occurring
Strength factors that will help to prevent re-occurrence
Personality attributes, skills, relationship strengths

Conclusion
Summary facts, analysis and argued conclusion
In discharge of the courts order, the MWHB has carried out an investigations into the circumstances of the child and has concluded the following:
Whether the MWHB should:
  (a) apply for a care order or a supervision order in relation to the children or any individual child
  (b) Provide services or assistance for the child or any individual child or the child’s family
  (c) Take any other action in respect to the child

Where the MWHB decides not to apply for a Care Order or Supervision Order

The MWHB has decided not to recommend a Care Order or Supervision order for the following reasons
The MWHB has provided or intends to provide the following services /assistance.
The following is any other action the MWHB has taken or proposes to take with respect to the child.

Presenting the Report
On occasions, the social worker may have to present his/ her report in court. The following procedures are usually followed:

Oath or affirm
Give your name and professional address
Qualification and Experience

Questioning:
Listen carefully to each question and take your time.
Address all responses to the judge, not to the solicitor or barrister asking you the question.
Align your feet with the judge. Do not move your feet, in that way you will keep your focus on the judge.
Avoid eye contact with the solicitor / barrister when answering the question. Only turn back to the solicitor / barrister when you are finished answering the question.

What to take into the witness box
File and Report
Contemporaneous notes
References: Report should contain references if it is very complex, you could attach these to the report or take them into court
What to wear
Courts expect a conventional dress code. It is important to remember that in this domain you are representing your agency and your profession. Less attention will be paid potentially to your opinion if your dress does not reflect the expected standards of the court.