

ROUTLEDGE REVIEWS

# Magistrates' Decision-Making in Child Protection Cases

Rosemary Sheehan



# Magistrates Decision Making In Child Protection Cases

**Donald N. Duquette**



## **Magistrates Decision Making In Child Protection Cases:**

**Magistrates' Decision-Making in Child Protection Cases** Rosemary Sheehan, 2018-02-06 This title was first published in 2001 Making decisions about the care and protection of children who appear before the courts is complex Attention must be paid to the best interests of the child the child's need for their family community views on parenting and concern about welfare intrusion into family life Magistrates have a unique authority to make or reject child protection orders yet the criteria they use to decide a protection order how they understand the information presented to them in court and the factors that influence their discretion and decision making have until now been little known Presenting the findings of a study undertaken at Melbourne Children's Court this book offers a much needed investigation of how magistrates actually make child protection decisions Case examples highlight this decision making and the book thus offers practical assistance to professionals working with children in the legal process Australia's Children's Courts Today and Tomorrow Rosemary Sheehan, Allan Borowski, 2013-04-05 The Children's Court is one of society's most important social institutions At the same time it is steeped in controversy This is in large measure due to the persistence and complexity of the problems with which it deals namely juvenile crime and child abuse and neglect Despite the importance of the Children's Court as a means of holding young people accountable for their anti social behaviour and parents for the care of their children it has not been the subject of close study Certainly it has not been previously studied nationally This book an edited collection is based on the findings of study that spanned the six States and two Territories of Australia The study sought to examine the current challenges faced by the Children's Court and to identify desirable and feasible directions for reform in each State and Territory A further unique feature of this study is that it canvassed the views of judges and magistrates who preside over this court

**Decision-Making and Judgment in Child Welfare and Protection** John D. Fluke, Mónica López López, Rami Benbenishty, Erik J. Knorth, Donald J. Baumann, 2020-07-17 Professionals in child welfare and protection are often required to make decisions fraught with many difficulties and shortcomings that have crucial implications for children and families There are many indications that these decisions are frequently unreliable and involve unavoidable errors in judgement due to the uncertainties Despite the central role of judgements in the field child welfare and protection training and research programs pay limited attention to leveraging the human factors aspect of practice Although extensive research exists in relevant areas such as medicine psychology business administration and economics little has been done to help develop transfer and translate scientific knowledge to the child welfare arena Decision Making and Judgment in Child Welfare and Protection pulls together the best internationally sourced expertise and makes it accessibly available and applicable to scholars educators practitioners students and policymakers the key stakeholders in child protective services and child welfare

**EU Criminal Justice, Financial & Economic Crime** Marc Cools, 2011 This fifth volume of the Governance of Security GofS Research Paper series addresses a wide variety of topical issues focusing on European criminal justice and financial and economic

crime The first cluster of articles is concerned with European criminal justice matters particularly relating to EU mutual recognition such as conceptualization unwanted effects in the context of prisoner transfer and sentence execution impact for cross border gathering and use of forensic expert evidence and interrogational fairness standards A second cluster of articles addresses the subjects of financial and economic crime ranging from informal economy among street children to formal informal economy vulnerability of the hotel and catering industry to crime and white collar crime phenomena like transnational environmental crime and corruption A final cluster groups together a variety of selected topical issues including juvenile offending and mental disorders desistance theories and sexually transmitted infections **Oxford**

**Handbook of Child Protection Systems** Jill Duerr Berrick, Neil Gilbert, Marit Skivenes, 2023 This Handbook describes the ways in which 50 countries from every continent except Antarctica have devised measures to protect children from maltreatment and exploitation The Handbook discusses the legislative responses public administrative systems and the social service networks that governments utilize to secure children s safety Synthesizing data from across the world the authors suggest a global typology of child protection systems for understanding the diversity of service responses *The Child Protection Handbook E-Book* Rachael Clawson, Lisa Warwick, Rachel Fyson, 2024-01-03 The Child Protection Handbook explains how to recognise abuse and protect at risk children for those working with children and young people aged under 18 including in social care education health services and sport and leisure settings The book has been fully updated to incorporate the impact of new technology as well as current legal and policy frameworks that govern statutory child protection intervention in the UK It considers all aspects of child protection including organisational issues children s rights the needs of those from diverse backgrounds and the impacts of the Covid 19 pandemic on child protection work With accessible up to date information presented in an easy to navigate format the Handbook is ideal for all busy practitioners wanting to improve outcomes for children young people and their families Fully updated since the last edition in 2007 perfect for all those working with children and young people Easy to navigate and locate information suitable as a reference book for busy practitioners Illustrative boxes in each chapter drawing on practice case examples to highlight current issues and dilemmas All concepts explained in straightforward jargon free language Reflective points to encourage the reader to think about their own practice and apply new knowledge Key questions for students and teachers to check understanding and to explore concepts further Links to resources and further reading Supporting social workers in child protection practice Poverty and child protection New forms of child abuse including technology assisted child sexual abuse child sexual exploitation gangs and criminal exploitation radicalisation forced marriage of children and young people female genital mutilation and faith based abuse Focus on teenagers including child protection in adolescence leaving care safeguarding and children in conflict with the law children and young people who have displayed harmful sexual behaviour and child to parent violence and abuse Safeguarding in sport and leisure Working with parents at risk of repeat removal of their children

through care proceedings      Child Abuse and Family Law Thea Brown, 2020-07-28 I have no doubt that this book will become an invaluable tool for family and children's court judges and magistrates psychiatrists psychologists social workers police and the many other professionals who work in this field The Honourable Alastair Nicholson former Chief Justice of the Family Court of Australia A ground breaking comprehensive honest well researched and courageous book that should be essential reading for all politicians and professionals involved in both the Family Court of Australia and state child protection systems Emeritus Professor Freda Briggs AO Child abuse in the context of parental separation and divorce is not a malicious allegation nor a misunderstanding It is a real and growing problem with very young children as the primary victims Child Abuse and Family Law draws on pioneering research to identify the causes features and impact of child abuse in parental separation and divorce The authors argue that professionals working with these families need to better understand the specific and often severe nature of this abuse to improve outcomes for both the children and their families The authors develop a much needed practice framework for all socio legal professionals involved in the family law system Using case studies they take a multi disciplinary approach to outline strategies for family lawyers child legal representatives social workers child protection workers psychologists psychiatrists health workers and teachers      Beliefs and Expectancies in Legal Decision Making Bradley D. McAuliff, Brian H. Bornstein, 2016-02-26 Beliefs and expectancies influence our everyday thoughts feelings and actions These attributes make a closer examination of beliefs and expectancies worthwhile in any context but particularly so within the high stakes arena of the legal system Whether the decision maker is a police officer assessing the truthfulness of an alibi a juror evaluating the accuracy of an eyewitness identification an attorney arguing a case involving a juvenile offender or a judge deciding whether to terminate parental rights these decisions matter and without doubt are influenced by beliefs and expectancies This volume is comprised of research on beliefs and expectancies regarding alibis children's behaviour while testifying eyewitness testimony confessions sexual assault victims judges decisions in child protection cases and attorneys beliefs about jurors perceptions of juvenile offender culpability Areas for future research are identified and readers are encouraged to discover new ways that beliefs and expectancies operate in the legal system This book was originally published as a special issue of Psychology Crime Law      **Foster Care, Child Welfare, and Adoption Reforms** United States. Congress. House. Committee on Ways and Means. Subcommittee on Public Assistance and Unemployment Compensation, 1989      *Social Work Visions from Around the Globe* Anna Metten, Teppo Kroger, Pirkko-Liisa Rannahon, Anneli Pohjola, 2013-07-04 Increase the effectiveness of the services you provide to clients Social Work Visions from Around the Globe examines the fundamental principles and dilemmas of social work with people whose health is under threat This valuable resource was compiled from material presented at the Third International Conference on Social Work in Health and Mental Health in Tampere Finland The book explores key issues in social work in health and mental health from the early historical roots of social work in health to developing a human rights perspective on

the lives of men who face capital punishment Using tables figures case studies and interviews the text will help you provide holistic client based care to children men women and families Social Work Visions from Around the Globe is divided into two sections the first half discusses the position of individuals and families as users of health and mental health care services Specific cases in the book include social work situations for children with disabilities the mentally ill the elderly cancer and HIV AIDS This text includes research and findings on the challenges and solutions faced by social workers in North America Australia Europe Asia and Africa In the second half Social Work Visions from Around the Globe focuses on various approaches to social work in health and mental health that address the diversity of societies strengthening the voice of the social worker and service user the expertise of service users development of methods family life and childhood in global comparison human rights issues in social work

### **The Emotionally Abused and Neglected Child** Dorota

Iwaniec,2006-05-01 Emotional abuse and neglect are at the core of all types of child maltreatment and have the most harmful effects on the physical and psychological development and well being of children Yet they are considered to be the most difficult to deal with by those who have the responsibility to protect and intervene in effective ways In this book the author explores the concept of a damaged child and asks what are the different types of injury ranging from active to passive physical to emotional that stop children from reaching their full potential psychologically and physically The author questions whether emotional damage to a child can be repaired and answers questions such as Is some injury irreversible What therapeutic techniques are available to deal with emotional abuse Can the abusers as well as the abused be helped to change Case studies are provided to illustrate the features of emotional abuse and chapters are devoted to the assessment and prediction of emotional abuse effects of emotional abuse as the child grows up intervention and treatment and working with the family as a whole

### **Child Protection and the Care Continuum**

Elizabeth Fernandez,Paul Delfabbro,2020-11-25 This important new book critically examines the complex policy and practice issues surrounding child protection including the impact of theoretical orientations contemporary debates policy initiatives and research findings and maintains an emphasis on the ethics and values underpinning child welfare interventions The book introduces policies that are central to understanding the position and needs of children and young people and how policy and practice have been influenced by developments including the children s rights agenda It also explores the most significant issues in child welfare These include the experience of maltreatment by children the systems of child protection to safeguard them the methods and challenges of risk assessment and the wide range of policy and therapeutic interventions to respond to children s needs The book also examines family support to promote children s wellbeing before considering provision for children and young people who are looked after in out of home care There is also a final section that focuses on best practice in communicating and working with children and young people drawing on participatory rights oriented and resilience based approaches and supporting foster and adoptive carers and biological parents Contributing in a substantive and clear manner to a growing

international conversation about the present function and future directions for child welfare in contemporary societies this textbook will be of interest to undergraduate and postgraduate social work students and those from allied disciplines and professionals who are engaged in child welfare services

**The Cambridge Handbook of Psychology and Legal Decision-Making** Monica K. Miller, Logan A. Yelderman, Matthew T. Huss, Jason A. Cantone, 2024-02-28 Presenting state of the art research this Handbook summarises emerging and establishing topics in the area of legal decision making Interdisciplinary in its approach it covers decisions made within the criminal justice system the trial process and clinical settings Chapters written by accomplished academics and experts in the field synthesize historical context identify gaps in existing literature propose future directions of study and discuss policy limitations It also includes perspectives from the field essays written by professionals a judge an attorney a police officer a trial consultant and a probation officer to bridge the gap between academic research and its application to the real world It is intended as a go to resource for students and researchers who want to immerse themselves in a body of scientific research to understand its history and shape its future

Child Welfare Cathleen A. Lewandowski, 2018-07-20 Organized around the theme of child well being this book provides an overview of child welfare s past and present with consideration of its future Using case examples and discussion questions this text engages readers in a critical examination of the challenges and strategies used to date to suggest possible directions for promoting the well being of all children Meanwhile the whole child integrative approach to child welfare uniquely examines strategies to address children s physical emotional social and psychological needs Child welfare policy and practices are integrated throughout thereby illustrating the context in which child welfare practice occurs and how practice and policy are connected Current issues guiding practice with children who are especially at risk are also explored including children with disabilities immigrant children and youth who may have been trafficked Child Welfare is a rich resource for social work students child welfare practitioners and administrators alike

**Implementing Article 3 of the United Nations Convention on the Rights of the Child** Elaine E. Sutherland, Lesley-Anne Barnes Macfarlane, 2016-12-22 The UN Convention on the Rights of the Child is acknowledged as a landmark in the development of children s rights Article 3 makes the child s best interests a primary consideration in all actions concerning children and requires States Parties to ensure their care and protection This volume written by experts in children s rights from a range of jurisdictions explores the implementation of Article 3 around the world It opens with a contextual analysis of Article 3 before offering a critique of its implementation in various settings including parenting religion domestic violence and baby switching Amongst the themes that emerge are the challenges posed by the content of best interests welfare and well being the priority to be accorded them and the legal socioeconomic and other obstacles to legislating for children s rights This book is essential for all readers who interact with one of the Convention s most fundamental principles

**Youth Justice and Child Protection** Malcolm Hill, Andrew Lockyer, Frederick H. Stone, 2007 This book is an examination of recent developments in the areas of youth

justice and child protection It investigates how well young people and the societies in which they live are served by judicial and service systems Consideration is given to those in care in young offenders institutions foster families and residential homes as well as those living with their families A broad range of international experts discuss the largely segregated youth justice and children s legal and service systems in England and Wales other parts of Western Europe and the US and compare these with Scotland s integrated system The implications of these arrangements are considered for the rights of children and parents on the one hand and society on the other The contributors also provide insights into the rationale for current and proposed policies as well as the efficacy of different systems This book will be an important reference for policy makers social workers lawyers magistrates and equivalent decision makers health professionals carers and all those working in youth justice and child protection It is highly relevant for academics and students interested in children citizenship youth crime child welfare and state family relations

**Protecting Powers** Judith Masson,2007-03-13 The book is based on two research projects on emergency intervention which were carried out by the author and her colleagues The studies provide the basis for the three themes in the book Inter agency Working Perceptions of Safety and Placement and Resource Issues The combination of quantitative and qualitative research allows a detailed picture of practice that goes beyond an account of what happens to explore the perceptions understandings and experiences of the practitioners who make these decisions as social workers police officers magistrates legal advisers or magistrates and of the lawyers who advise social workers and parents The book provides a critical account of current practice in emergency child protection it identifies good practice and make proposals for reform

Guidelines for Public Policy and State Legislation Governing Permanence for Children Donald N. Duquette,1999

**Children, Autonomy and the Courts** Aoife Daly,2017-12-18 In this book Aoife Daly argues that where courts decide children s best interests for example about parental contact the UN Convention on the Rights of the Child s right to be heard is insufficient and autonomy should instead be the focus Global law and practice indicate that children are regularly denied due process rights in their own best interest proceedings and find their wishes easily overridden It is argued that a children s autonomy principle respecting children s wishes unless significant harm would likely result would ensure greater support for children in proceedings and greater obligations on adults to engage in transparent decision making This book is a call for a reconceptualisation of the status of children in a key area of children s rights

**Proposals to Improve the Foster Care and Child Welfare Programs** United States. Congress. House. Committee on Ways and Means. Subcommittee on Human Resources,1989



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