

Ministry of Justice  
102 Petty France  
Westminster  
London  
SW1H 9AJ

7<sup>th</sup> July 2020

To whom it concerns

**Re: Report entitled- Assessing Risk of Harm to Children and Parents in Private Law Children Cases**

The British Association of Social Workers (BASW) is the professional association for social work in the UK with offices in England, Northern Ireland, Scotland and Wales. With nearly 21,000 members we exist to promote the best possible social work services for all people who may need them, while also securing the well-being of social workers working in all health and social care settings.

BASW wishes to comment on the final report authored by Professors Rosemary Hunter, Mandy Burton and Liz Trinder on behalf of the Ministry of Justice entitled “Assessing Risk of Harm to Children and Parents in Private Law Children Cases”.

We are deeply concerned that social workers in the family court were singled out and described as having “significant weakness in the knowledge and skills” when undertaking work with families where domestic abuse is a feature. We are all too aware of the concerns about the private family law court system and we do agree with the findings in relation to “poor resourcing”, “an adversarial environment” and “silo working”. Sadly, we have seen how the shortcomings of the court system have resulted in survivors of domestic abuse, including children, being re-traumatised and we welcome efforts to address this. However, to single out one profession in the report reiterates a blame approach which does not address the systemic failures identified in the court system.

Members from BASW England are particularly concerned that the focus on the social work profession is being used as an opportunity to promote a government agenda

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for a roll out of the National Assessment and Accreditation System (NAAS) for children and families social workers, which is currently 'non mandatory'. BASW does not support mandatory accreditation. We have yet to see evidence that accreditation will raise standards in social work and in view of the expected high sustainable costs we suggest it may be more appropriate to steer finite resources towards increasing capacity for social workers to do direct work with children and families, which many social workers across England cite as a major barrier to efficacy.

Members from BASW Cymru are equally concerned that the report overly fixates on the training of social workers as a solution. To be clear, BASW is not against different models of training and accreditation for social workers. Training of social workers alone will not address these complex issues. From our 2017/18 Working Conditions Research <https://www.basw.co.uk/resources/social-worker-wellbeing-and-working-conditions> we know that social work in Wales and England is under intolerable pressure and this needs to change, to allow social workers to practice at their best. Furthermore, BASW Cymru is delighted that Eleri Butler, former Chief Executive at Welsh Women's Aid was on the panel but are disappointed at the lack of senior social work representation from Wales.

To conclude the specific recommendations on accreditation and training has the potential to create a façade of improvement rather than actual improvement which and could prevent a positive outcome for a better and safer court system for children and parents using the private family law service.

We would welcome the opportunity to discuss this further so please do contact us at [england@basw.co.uk](mailto:england@basw.co.uk).

Yours sincerely



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