

PRESERVATION

# WHAT IS LEGAL SUPERVISION?

A REPORT BASED ON A SURVEY OF  
SOCIAL WORKERS

MARCH 1983

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## LEGAL SUPERVISION

### 1. INTRODUCTION

Each year many children and young persons are placed on legal supervision by Court order. In 1981 legal supervision was the outcome in 26% (3,397) of all finalised Children and Young Persons Court appearances. While it is clearly a frequently used sanction, the Department has limited information about what legal supervision actually involves, both for the social worker and for the child or young person and his or her family. The study reported in this paper was commissioned to provide a description of what legal supervision involves. It was based on a survey of all social workers having recent experience with legal supervision.<sup>1</sup>

This paper includes:

- . The background to the study (Section 2);
- . A summary of basic statistical information (Section 3);
- . A description of the study population (Section 4);
- . An analysis of questionnaire responses (Sections 5-16);
- . A profile of legal supervision (Section 17);
- . Conclusions and recommendations (Section 18).

#### 1.1 Legislative provision for legal supervision

Sections 31 and 36 of the 1974 Children and Young Persons Act provide the Court with the power to place a child or young person "under the supervision of a social worker for a period specified by the Court, being a period of not more than three years; but that period shall not extend beyond the date on which the child or young

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<sup>1</sup> A copy of the questionnaire used in the survey is attached as Appendix I.



person attains the age of 17 years". The conditions of a period of supervision may vary; there are a number of conditions which always apply when a child or young person is placed on supervision and a number of additional conditions which the Court may impose at its discretion. The conditions are described in Appendix II.

## 2. BACKGROUND TO THE STUDY

Prior to preparation of the study design there was discussion with social workers in Wellington district office. Drafting of the questionnaire was preceded by discussion with social workers in Lower Hutt district office and by an analysis of 1981 statistics. (The latter information is summarised in Section 3 of this report). The questionnaire was pilot tested in Palmerston North district office and revised on the basis of the comments received there.

Questionnaires were sent to all departmental non-residential social workers on the Personnel Information and Payroll Service (PIPS) list as at 10 September 1982. Assistant Directors (Social Work) were included but persons known to be on extended leave or on leave for training purposes were excluded from the study population. A reminder letter was sent out after two weeks.

Out of a valid population of 630 social workers, 535 questionnaires were returned and analysed. A further two questionnaires were returned by social workers who declined to participate in the study, making the final response rate 85%. Replies were received from all but two offices.

### 3. STATISTICAL INFORMATION

In 1981, the latest year for which figures are available, 12,942 appearances were finalised in the Children and Young Persons Court. The following description relates to the 11,944 appearances with outcomes, as recorded on the case record form (SW 512), of something other than "admonished and given a more serious sentence on the same day".

#### 3.1 Characteristics of those given legal supervision

The majority (75%) of appearances resulting in a legal supervision order were by males. The most common age of those placed on supervision was 14 years (nearly one third of appearances resulting in supervision).

For analytical purposes, appearances were separated into two types, namely care and protection cases and control cases. Care and protection cases were defined as those where the Court appearance was the result of factors other than misbehaviour or offending by the child, for example neglect, ill treatment or the parents having difficulty coping. Control cases were defined as those where the Court appearance was the result of offending or misbehaviour by the child or young person.

Using these definitions it was found that, while only 8% of all Court appearances could be classified as care and protection cases, 12% of those appearances resulting in a legal supervision order were care and protection cases. Care and protection cases resulting in legal supervision were evenly divided between males and females while for control cases, nearly four times as many males as females were placed on supervision. The mean age of care and protection cases given legal supervision was 8 years while for control cases it was 14 years.

Table 1 below summarises, for the two case types, the number of Court outcomes in three categories - less intensive intervention than supervision (admonish, fine, etc.); legal supervision itself; and outcomes representing more intensive intervention than legal supervision (guardianship, sentence in the District Court, etc). The table allows comparison of the percentage of cases falling into each category and the mean age of those in each category.

TABLE 1 NUMBER AND PERCENTAGE OF CHILDREN AND YOUNG PERSONS COURT APPEARANCES FALLING IN THREE OUTCOME CATEGORIES AND MEAN AGE OF THOSE IN EACH CATEGORY.<sup>1</sup>

<u>Casetype</u>	<u>Percentage</u>	<u>Result</u>	<u>Mean Age</u>	<u>Number</u>	<u>Percentage</u>
Care and Protection	8%	Admonish etc.	9.5	85	9%
		Legal Supervision	8.2	416	42%
		Guardianship etc.	7.4	489	49%
		All Outcomes	7.9	990	100%
Control	92%	Admonish etc.	15.2	5,622	51%
		Legal Supervision	14.2	2,972	27%
		Guardianship etc.	15.2	2,360	22%
		All Outcomes	15.0	10,954	100%
All Casetypes	100%	Admonish etc.	15.1	5,707	48%
		Legal Supervision	13.5	3,388 <sup>2</sup>	28%
		Guardianship etc.	13.9	2,849	24%
		All Outcomes	14.4	11,944	100%

<sup>1</sup> The source for all tables in this section is SW 512 returns.

<sup>2</sup> This number is less than that cited previously, due to the removal of 9 cases with an outcome of "admonish and return to supervision".

It can be seen from the table that legal supervision was a much more frequent outcome for care and protection cases (42%) than it was for control cases (27%).

### 3.2 Prior offending

The amount of previous official notice (i.e. contact with the Children's Board, the Youth Aid Section of the Police or with the Court itself) was analysed for control cases to give some indication of the offending history of youngsters placed on legal supervision. This information was derived from recording of previous notice on the SW 512 forms. (It should be noted that there could be some underestimation of prior offences if this section of the form is not completed in a comprehensive manner). Results of the analysis are presented in Table 2 below. The table provides separate information on number of prior Court appearances and on previous notice of any sort, whether Court, Youth Aid or Children's Board.

TABLE 2. NUMBER OF PRIOR COURT APPEARANCES AND NUMBER OF PREVIOUS YOUTH AID, CHILDREN'S BOARD OR COURT APPEARANCES OF CONTROL CASES RECEIVING LEGAL SUPERVISION AS A COURT OUTCOME, 1981.

Prior Court Appearances	Frequency	Percent	Previous Children's Board, Youth Aid or Court Appearances	Frequency	Percent
0	2,019	67.9	0	1,476	49.7
1	580	19.5	1	770	25.9
2	229	7.7	2	385	13.0
3	79	2.7	3	179	6.0
4 or more	65	2.2	4 or more	162	5.4
TOTAL	2,972	100.0%	TOTAL	2,972	100.0%

The table shows that only one third of appearances resulting in a legal supervision order had been preceded by a Court appearance, while one half had been preceded by either a Children's Board appearance, a Youth Aid consultation, or a Court appearance.

### 3.3 Length of legal supervision and conditions imposed

Table 3 below shows the number of legal supervision orders to which additional conditions were attached by the Court. Thirty five percent of legal supervision orders in 1981 had community work conditions attached. Youngsters given community work were older than the rest with a mean age of 14.7 years.

The table also shows mean length of supervision orders. The average length overall was 9.4 months. Orders with community work conditions attached were, on average, shorter whilst the longest orders were those with other conditions attached. Thirty eight percent of all orders were for exactly six months and a further 37% were for 12 months.

TABLE 3. CONDITIONS AND LENGTH OF LEGAL SUPERVISION ORDERS AND MEAN AGE OF THOSE PLACED ON SUPERVISION, 1981.

<u>Type of Condition</u>	<u>Number</u>	<u>Percentage</u>	<u>Mean Length in months</u>	<u>Mean Age in Years</u>
No conditions	1,571	46	9.8	12.7
Community work	1,177	35	7.6	14.7
Other conditions	640	19	11.5	13.1
<hr/>				
All legal supervision cases	3,388	100	9.4	13.5

### 3.4 Inter-district variation

As already reported, 26% of all appearances finalised in the Children and Young Persons Court in 1981 resulted in an order for legal supervision. Analysis by districts revealed little variation from this percentage with one or two marked exceptions, notably Dunedin where the percentage of supervision cases was only 12% and Whakatane and Taupo where the figure was 48%.

#### 4. THE STUDY POPULATION

The data analysed in this and all following sections of the report were derived from responses to the questionnaire.

##### 4.1 The respondents

The study population was split on the basis of recent contact with legal supervision. It was further divided into the four categories set out below.

##### Group 1A - Legal Supervision Caseworkers

- . Social workers with legal supervision cases on their caseload at the time of the survey;
- . Social workers not carrying legal supervision cases at the time of the survey, but who had them on caseload in the preceding six months.

##### Group 1B - Legal Supervision Supervisors

- . Social workers supervising others with a legal supervision caseload at the time of the survey;
- . Social workers not supervising at the time of the survey, but who had supervised other social workers with legal supervision caseloads in the preceding six months.

##### Group 2A - Non-legal Supervision Caseworkers

- . Assistant, Basic and Merit grade social workers neither currently nor recently carrying a legal supervision caseload.



Group 2B - Other Supervisors

- Senior social workers, including Assistant Directors (Social Work) and Area Welfare Officers, neither carrying legal supervision caseloads nor supervising other social workers with legal supervision caseloads.

Respondents in Group 1 were asked to complete the whole questionnaire, while those in Group 2 were only required to provide background information about themselves. In order to ascertain whether there are any differences in characteristics between those dealing with legal supervision and others, legal supervision caseworkers (Group 1A) have been compared with non-legal supervision caseworkers (Group 2A) and legal supervision supervisors (Group 1B) have been compared with other supervisors (Group 2B).<sup>1</sup>

Table 4 below shows the number and percentage of social workers in each group, by designation.<sup>2</sup>

TABLE 4. NUMBER AND PERCENTAGE OF SOCIAL WORKERS BY DESIGNATION.

Designation	Group 1A Legal Supervision Caseworkers		Group 2A Non-Legal Supervision Caseworkers		Group 1B Legal Supervision Supervisors		Group 2B Other Supervisors	
	N	%	N	%	N	%	N	%
Assistant	11	3.8	1	1.0	0	0.0	0	0.0
Basic	185	63.6	59	58.4	5	4.5	0	0.0
Merit	76	26.1	41	40.6	16	14.3	0	0.0
Senior	16	5.5	0	0.0	80	71.4	38	57.6
A.D.S.W.	1	0.3	0	0.0	8	7.1	21	31.8
Other	2	0.7	0	0.0	3	2.7	7	10.6
Total	291	100.0	101	100.0	112	100.0	66	100.0

1. Note that Groups 1A and 1B overlap slightly as some supervisors are also carrying a legal supervision caseload. It is also acknowledged that Groups 1A and 2A and Groups 1B and 2B are not strictly comparable but it is believed that this division provides more meaningful comparisons than other options.

2. The source for this and all following tables is questionnaire returns.

#### 4.2 Sample characteristics

All respondents were asked to provide basic background information about themselves and their experience. Responses to this part of the questionnaire are set out below.

#### 4.3 Sex

The following table shows the sex distribution for the four groups.

TABLE 5. SEX OF SOCIAL WORKERS.

Sex	Group 1A (N=291) Legal Supervision Caseworkers		Group 2A (N=101) Non-Legal Supervision Caseworkers		Group 1B (N=112) Legal Supervision Supervisors		Group 2B (N=66) Other Supervisors	
	N	%	N	%	N	%	N	%
Male	130	44.7	36	35.6	67	59.8	32	48.5
Female	161	55.3	65	64.4	45	40.2	34	51.5
Total	291	100.0	101	100.0	112	100.0	66	100.0

The table shows that a slight majority of legal supervision caseworkers are women while men form the majority of legal supervision supervisors. The table also shows that while the majority of all social workers are involved in legal supervision the proportion so involved is significantly greater for males than females.

#### 4.4 Age

Respondents were asked their age in order to examine the age distribution of those who deal with legal supervision. This information is set out in Table 6 below.

TABLE 6. AGE DISTRIBUTION OF SOCIAL WORKERS.

Age (Years)	Group 1A (N=291) Legal Supervision Caseworkers	Group 2A (N=101) Non-Legal Supervision Caseworkers	Group 1B (N=112) Legal Supervision Supervisors	Group 2B (N=66) Other Supervisors
	%	%	%	%
Less than 30	32.6	26.7	2.7	0.0
30 - 39	39.2	34.7	35.7	25.8
40 - 49	21.3	26.7	37.5	31.8
50 and over	6.9	11.9	24.1	42.4
Total	100.0	100.0	100.0	100.0

As can be seen in the table, legal supervision caseworkers tend to be younger than other caseworkers. Legal supervision supervisors are also generally younger than other supervisors.

#### 4.5 Educational qualifications

The educational qualifications of social workers are set out in Table 7 below.

TABLE 7. EDUCATIONAL QUALIFICATIONS OF SOCIAL WORKERS.

Qualification	Group 1A (N=291) Legal Supervision Caseworkers	Group 2A (N=101) Non-Legal Supervision Caseworkers	Group 1B (N=112) Legal Supervision Supervisors	Group 2B (N=66) Other Supervisors
	%	%	%	%
No formal qualification	5.5	5.0	4.5	6.1
Secondary qualification	66.0	67.3	62.5	62.1
Partially completed degree	23.7	32.7	18.7	28.8
University degree	38.5	35.6	24.1	22.7
Formal social work qualification	12.4	19.8	25.0	43.9
Other tertiary qualification	42.6	46.5	44.6	48.5

Table 7 shows that the educational qualifications of social workers in the four groupings are largely comparable.

#### 4.6 Length of service with the Department

Respondents were asked how long they had been social workers with the Department of Social Welfare (including time spent with the Child Welfare Division or the Social Security Department). Table 8 shows the distribution of responses to this question.

TABLE 8. LENGTH OF SERVICE WITH THE DEPARTMENT.

Time (Years)	Group 1A (N=291)	Group 2A (N=101)	Group 1B (N=112)	Group 2B (N=66)
	Legal Supervision Caseworkers	Non-Legal Supervision Caseworkers	Legal Supervision Supervisors	Other Supervisors
	%	%	%	%
Less than 3	41.6	24.7	2.7	3.0
3 - 5	32.6	43.6	15.2	0.0
6 - 10	18.2	23.8	39.3	28.8
11 or more	7.6	7.9	42.8	68.2
Total	100.0	100.0	100.0	100.0

The figures in this table show that legal supervision caseworkers have spent less time with the Department than other caseworkers. This is also true in the case of seniors, with legal supervision supervisors generally not having been with the Department as long as other supervisors.

#### 4.7 Experience with legal supervision

Social workers were asked whether they had been involved with legal supervision in any way and if so to indicate the length of that involvement. Length of experience with legal supervision is summarised in Table 9 below.

TABLE 9. SOCIAL WORKER EXPERIENCE WITH LEGAL SUPERVISION.

Years	Group 1A (N=291) Legal Supervision Caseworkers	Group 2A (N=101) Non-Legal Supervision Caseworkers	Group 1B (N=112) Legal Supervision Supervisors	Group 2B (N=66) Other Supervisors
	%	%	%	%
Less than 1	20.3	29.7	0.9	7.6
1	13.0	11.9	0.9	1.5
2	14.8	18.8	3.6	6.0
3	11.3	8.9	1.8	1.5
4	11.3	13.9	8.9	7.6
5	7.9	4.9	6.2	9.1
6 - 10	16.2	7.9	43.8	36.4
11 or more	5.2	4.0	33.9	30.3
Total	100.0	100.0	100.0	100.0

The table shows that nearly half of legal supervision caseworkers have had less than three years experience with legal supervision. It also shows that three quarters of legal supervision supervisors have had six or more years experience with legal supervision.

#### 4.8 Key points

- . The proportion of male social workers with legal supervision caseloads is greater than the proportion without such caseloads;
- . Social workers involved with legal supervision tend to be younger than other social workers;
- . Legal supervision caseworkers and supervisors have generally spent less time with the Department than have other social workers.

5. CASELOAD CHARACTERISTICS

Seventy two percent of the 368 respondents to this part of the questionnaire, were carrying legal supervision cases on their caseload at the time of the survey. The number of respondents who, at the time of the survey, were supervising other social workers with regard to their legal supervision caseload, was 91 (25%). Fifteen social workers were both carrying a legal supervision caseload and supervising other social workers with legal supervision caseloads.

5.1 Caseload distribution

Social workers were carrying an average of 7 legal supervision cases on their caseload. The number of legal supervision cases carried ranged from 1 to 30. The following table shows the distribution of legal supervision cases.

TABLE 10. NUMBER AND PERCENT OF LEGAL SUPERVISION CASES ON CASELOAD.

Number of Cases	Caseworkers	
	N <sup>1</sup>	%
1 - 3	74	28.0
4 - 6	80	30.3
7 - 10	61	23.1
11 - 15	33	12.5
16 - 30	16	6.1
Total	264	100.0

<sup>1</sup> Two social workers indicated they were carrying legal supervision caseloads but did not state the number on their caseload.



## 5.2 Types of cases being dealt with

Respondents were asked to specify the number of their legal supervision cases falling into each of the following categories; care and protection, control cases (without community work conditions) and community work cases. Table 11 shows the distribution of types of cases as classified by social workers.

TABLE 11. TYPES OF LEGAL SUPERVISION CASES CURRENTLY DEALT WITH.

<u>Type of Case</u>	<u>Number</u>	<u>Percent</u>
Care and protection	440	24.0
Control (excluding community work)	943	51.0
Control with community work condition attached	468	25.0
Total	1,851	100.0

The bulk (76%) of legal supervision cases were control cases. One third of these had community work conditions attached. The remaining 24% of legal supervision cases were care and protection cases<sup>1</sup>.

## 5.3 Key points

- . The average number of legal supervision cases (for social workers with such cases on caseload) is seven;
- . At the time of the study, three quarters of legal supervision cases were classified as control cases. One third of these had community work conditions attached.

1. It may be noted that the proportion of current care and protection cases reported in the survey is twice as great as the proportion derived from analysis of 1981 data reported in Section 3.1. However, these proportions are not directly comparable. Survey figures are based on caseload distributions at a particular point in time, whereas 1981 figures are based on Court appearances throughout the year. Survey figures also reflect social worker interpretations of care and protection versus control while 1981 figures are based on a somewhat arbitrary classification of complaints and charges coded from SW512 forms.

6. RECOMMENDATIONS TO THE COURT

6.1 Route to involvement with legal supervision

Respondents were asked how they generally become involved with legal supervision cases. The most commonly cited response (63% of respondents) was "make recommendations for legal supervision and get the cases on caseload". A further 23% of respondents usually become involved by supervising other social workers with legal supervision caseloads, 8% cited more than one route to involvement and a further 4% generally do not make the recommendation but get the cases on caseload.

6.2 Factors considered when deciding on recommendations

Social workers were asked to indicate the factors they consider when recommending legal supervision and the extent of influence of these factors. Responses of the 360 social workers who replied to this question are tabulated in Table 12 on the next page.

As might be expected, the factor "extent to which you consider legal supervision will be beneficial to the child or young person" was cited as having a strong influence by the great majority (81%) of social workers. Sixty five percent said that for care and protection cases the nature of the incident has a strong influence. Around 50% of respondents selected "home situation", "nature of misbehaviour/offence (if control)" and "appropriateness of alternative legislative options" as having a strong influence.

Other factors which a majority of respondents selected as having at least a moderate influence were "previous misbehaviour or offending by the child or young person", "expected co-operation of child or young person" (and of the parent or guardian), and "appropriateness of community work for the case."

TABLE 12: EXTENT TO WHICH NOMINATED FACTORS ARE CONSIDERED BY RESPONDENTS WHEN DECIDING WHETHER TO RECOMMEND LEGAL SUPERVISION (N = 360)

Percentage reporting influence of each factor<sup>1</sup>

FACTOR	FACTOR NOT CONSIDERED	FACTOR CONSIDERED			
		No Influence	Slight Influence	Moderate Influence	Strong Influence
	%	%	%	%	%
<b>A: <u>FACTORS WITH STRONG INFLUENCE:</u></b>					
Extent to which you consider legal supervision will be beneficial to the child or young person	0.0	0.3	3.9	14.4	80.6
Nature of incident (if care and protection)	1.1	0.8	6.7	23.1	64.7
Home situation of child or young person	0.3	1.4	8.9	36.1	52.5
Nature of misbehaviour/offence (if control)	0.3	1.4	9.7	36.7	51.1
Appropriateness of alternative legislative options	0.6	1.9	12.2	32.8	49.4
<b>B: <u>FACTORS WITH MODERATE INFLUENCE:</u></b>					
Previous misbehaviour or offending by child or young person	0.6	1.1	10.0	46.1	41.7
Expected co-operation of child or young person	1.4	3.3	14.4	39.7	39.7
Appropriateness of community work for the case	3.9	3.9	16.4	36.7	37.2
Expected co-operation of parent(s)/guardian(s)	1.7	6.4	12.8	44.7	33.3
<b>C: <u>FACTORS WITH LESSER INFLUENCE:</u></b>					
Time available for carrying out supervision	4.4	11.4	23.6	36.9	22.8
Age of child or young person	6.1	5.0	22.8	43.1	20.0
Presence in community of resources to assist with supervision	7.5	11.7	30.3	31.7	17.8
Views of senior social worker (for those below seniors) (N = 275)	6.2	6.9	39.6	32.0	12.7
<b>D: <u>FACTORS HAVING LITTLE OR NO INFLUENCE:</u></b>					
Likely attitude of Judge	7.5	22.5	35.6	28.1	4.7
Community pressure for action	18.3	30.8	38.6	8.3	1.7
Views of Police	17.2	29.7	39.2	11.7	1.1
Desire to build caseload	57.8	34.2	4.7	1.1	0.3

<sup>1</sup> Row percentages do not add to 100. The residual category is the percentage not responding.

Only 83 of those replying to this question responded to the request to list factors other than those nominated which they consider when deciding whether to recommend legal supervision. Factors cited covered a wide range, including the likelihood of change, the wishes of the young person and parent, the effect on peers and the provision, through conditions, for directions such as "undergo medical examination" if necessary.

### 6.3 Discussion prior to recommendation

Table 13 below presents the information obtained from social workers on the frequency with which they hold discussions with various persons and agencies before making a recommendation for legal supervision. Of the 332 who responded to this question 74% stated that they always discuss the potential recommendation with the parent or guardian and 65% always discuss it with the child or young person.

Frequency of discussion with senior social workers was analysed separately for those below the rank of senior. Results showed that 56% of respondents always hold discussions with seniors while an additional 24% usually do so. It is interesting to note that although the majority of respondents always discuss the recommendation with a senior the views of seniors were judged to have a strong influence by only 13% of social workers while 40% claimed they have only a slight influence (see Table 12).

TABLE 13. FREQUENCY OF DISCUSSION WITH OTHER PERSONS/AGENCIES PRIOR TO MAKING A RECOMMENDATION (N = 332).

Person/Agency	Percentage responding in each category				
	No	Never	Sometimes	Usually	Always
	Response				
	%	%	%	%	%
<b>A. <u>THOSE WITH WHOM THE MAJORITY ALWAYS CONSULT</u></b>					
Parent(s)/guardian(s)	0.3	0.3	2.7	22.6	74.1
Child or young person	0.9	0.3	6.9	27.4	64.5
Senior social worker (for those below seniors) (N = 272)	0.0	2.6	18.0	23.9	55.5
<b>B. <u>THOSE CONSULTED ONLY SOMETIMES OR NEVER</u></b>					
School	1.5	12.7	55.7	24.7	5.4
Other social workers	1.2	12.4	75.9	7.5	3.0
Youth aid officer	2.1	28.0	53.9	13.0	3.0
Psychologist	2.4	25.6	66.3	4.5	1.2
Social welfare volunteers	3.9	60.2	31.6	3.3	0.9
Non-statutory social service agencies	4.5	44.6	48.8	1.8	0.3

No other party is consulted regularly by more than a minority of social workers prior to the recommendation being made. This is perhaps only surprising as regards other social workers, since discussion with the school would only be of relevance for school attenders and access to parties such as social welfare volunteers and psychologists is not possible in all districts.

On the basis of these results it is clear that the key participants in the pre-recommendation discussions are parents or guardians, the child or young person, the social worker and his or her senior. It seems that there is little discussion with social worker peers when the majority of social workers make decisions regarding recommendations to the Court for legal supervision.

Fifty six persons responded to the request to specify persons other than those nominated, with whom they consulted before making a recommendation. The most frequent response was relatives or extended family (20 responses). Other persons cited included public health nurses, psychiatrists, peers, school counsellors and befrienders of the child or young person.

6.4 Key points

- . Five factors have a strong influence when social workers decide whether to recommend legal supervision. The factor with the strongest influence is whether the social worker considers legal supervision will be beneficial to the child or young person. The others are the nature of the incident (for care and protection cases), the home situation of the child or young person, the nature of the misbehaviour or offence (for control cases) and the appropriateness of alternative legislative options (see Table 12);
- . The key participants in pre-recommendation discussions are the parents or guardians, the child or young person and the senior social worker (see Table 13);
- . There is little regular discussion with social worker peers before a recommendation for legal supervision is made.



## 7. APPROPRIATENESS OF COURT ORDERS FOR LEGAL SUPERVISION

The questionnaire included a general question about the appropriateness of Court orders for supervision and more specific questions on appropriateness of conditions and length.

### 7.1 Inappropriate orders

Fifty five percent of the 344 social workers answering the question "Have there been cases you have dealt with where the Court order for legal supervision was inappropriately made?" replied in the affirmative.<sup>1</sup> Of those who described how they dealt with such cases, nearly one half (47%) indicated that they always or sometimes gave such cases low priority, according them only a minimum of contact and involvement. Only 19% of these respondents said that they accepted the Judge's ruling and treated the case like any other. Residual responses included discussing the ruling with the family and working out a plan or contract with them, suggesting an appeal or asking the Judge to terminate the order early.

Difficulties with carrying out effective supervision when the order is imposed by the Court and not recommended by the social worker were also mentioned in response to a question on problems with legal supervision (see Section 15.1).

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<sup>1</sup> One of the examples cited in the responses was that of an unemployed 15 year old who appeared on a theft charge. Despite the fact that all property had been recovered undamaged and that the girl had been given a "hiding" by each parent the Court placed her on six months supervision, fined her \$100, and ordered 100 hours community work as well as \$100 costs against the parents. The social worker had recommended admonish and discharge and suggested an appeal which the parents decided against!

## 7.2 Inappropriate conditions

Thirty five percent of the 355 social workers for whom the question was applicable replied yes when asked "Has a Judge ever added conditions of supervision which you considered to be inappropriate?". As was found above, half (51%) of those describing their treatment of such cases said they ignored the conditions (12% of these did so after first pointing them out to the young person involved). Once again 19% said they accepted the decision.

A number of respondents mentioned particular difficulty in enforcing the non-association condition. Examples were cited where those ordered not to associate were in the same school class and in one case the two boys involved were cousins, attended the same school and lived only about 500 metres apart.

Problems with "inappropriate" conditions were also cited by a number of social workers elsewhere in the questionnaire (see Section 15.3).

## 7.3 Altered length

Replies were given by 354 social workers to a question on whether the Judge had ever altered the length of the recommended period and 64% agreed that this had happened. Alterations in length were more likely to be accepted by social workers than were "inappropriate" orders or conditions, with over half (52%) of those providing descriptions reporting they accepted the altered length or revised their plans to fit.

In most cases the recommended period had been lengthened rather than reduced. Twenty nine percent said that they tapered off contact or reduced involvement to a minimum in the extended time. Others

reported that they terminated supervision early, applied to the Judge to have the order rescinded at an appropriate time or discussed the altered length with the Judge when the order was made.

#### 7.4 Optimum time period

There was considerable agreement among respondents that there is an optimum time period for a supervision order and also on how long this period is. Eighty percent of respondents considered there is an optimum period within which the major benefits of legal supervision will be achieved. Of the 286 respondents who specified the optimum length, 40% nominated six months while 25% said 3 months. In all 86% specified the optimum period as being a period of six months or less. Only one respondent specified a time period over twelve months and this person said that three to six months was the optimum period for control cases and twelve to 24 months was the optimum period for care and protection cases.

By contrast, 38% of all supervision orders in 1981 were made for six months and 37% for 12 months (see Section 3.3). It is therefore apparent that a considerable proportion of orders are being made for periods longer than that during which social workers believe the major benefits will be achieved.

#### 7.5 Key points

- Over half the respondents have experienced cases where they considered the supervision order was inappropriate, 35% have had cases where conditions which they saw as inappropriate were imposed and 64% have experienced the recommended length of the supervision period being altered by the Judge;

- . Nearly one half of respondents carry out only a minimum of supervision in cases where they consider the court order is inappropriately made. Similarly nearly one half ignore conditions which they consider to be inappropriate. On the other hand, alterations to the recommended length of an order are accepted by over half of the respondents;
- . Eighty six percent of social workers claim the optimum period within which the benefits of supervision will be achieved is six months or less.

## 8. PLANNING

### 8.1 Extent of planning

Social workers were asked whether they generally plan the form that legal supervision will take. Ninety percent of the 349 who replied said that they do plan. Over half (55%) plan before making the recommendation, while one third do so once the Court outcome is known. (A further 9% usually plan both before and after the hearing).

Social workers were also asked to indicate whether selected items are included in their plans in order to obtain an indication of the amount of detail in the plans. Results are shown in Table 14 below.

TABLE 14. FREQUENCY OF INCLUSION OF VARIOUS FACTORS IN PLAN (N = 313).

Factor	Percentage responding in each category <sup>1</sup>			
	Never	Sometimes	Usually	Always
	%	%	%	%
Frequency of contact with child or young person	0.3	8.3	38.7	52.7
Goals to be achieved by the end of the period	2.2	21.1	32.9	42.8
Activities to be carried out <u>by</u> child or young person	1.6	18.2	41.9	38.0
Frequency of contact with parent(s)/guardian(s)	1.0	20.1	44.1	34.2
Activities to be carried out <u>with</u> child or young person	4.2	27.5	37.1	29.7
Step by step objectives for meeting these goals	6.7	38.3	32.6	21.4
Activities to be carried out <u>by</u> parent(s)/guardian(s)	3.8	41.9	32.9	21.1
Activities to be carried out <u>with</u> parent(s)/guardian(s)	5.1	41.2	32.9	18.9

<sup>1</sup> Percentages do not add to 100. The residual category is the percentage not responding.

It can be seen from the table that all of the factors inquired about are usually or always included in the plan by the majority of those who plan. Ninety percent of those responding to this question said they usually or always include frequency of contact with the child or young person in their plan, while goals to be achieved by the end of the period, activities to be carried out by the child or young person and frequency of contact with parents or guardians are usually or always included by nearly 80%.

Forty three social workers specified other factors which they include in their plan. Examples are: a plan for each supervision session, flexibility, signing of a contract and activities to be carried out by the school.

## 8.2 Consultation

An item of interest is whether social workers consult with others regarding the activities to be carried out during the supervision period. Table 15 below shows the frequency with which consultation with nominated others takes place.

Those with whom the majority of social workers always or usually consult are the child or young person, the parents or guardians and the senior social worker. These are the same persons most frequently consulted prior to the recommendation being made (as was discussed in Section 6.3). Similarly, those parties consulted only sometimes or never, coincide with those discussed in Section 6.3. Once again the lack of consultation with other social workers is worthy of note.

TABLE 15. FREQUENCY OF CONSULTATION WITH NOMINATED PERSONS/AGENCIES ON ACTIVITIES TO BE CARRIED OUT DURING THE SUPERVISION PERIOD (N = 313).

Person/Agency	Percentage responding in each category				
	No	Never	Sometimes	Usually	Always
	Response				
	%	%	%	%	%
<b>A. <u>THOSE WITH WHOM MAJORITY ALWAYS OR USUALLY CONSULT</u></b>					
Child or young person	2.1	0.6	4.6	22.8	69.9
Parent(s)/guardian(s)	1.5	0.3	7.7	38.5	52.0
Senior social worker (for those below seniors) (N = 268)	1.1	3.4	35.5	32.8	27.2
<b>B. <u>THOSE CONSULTED ONLY SOMETIMES OR NEVER</u></b>					
School	2.1	10.5	62.2	20.3	4.9
Social welfare volunteers	6.1	44.3	45.5	2.2	1.9
Other social workers	4.6	16.0	71.7	6.2	1.5
Psychologist	4.3	26.2	64.3	4.3	0.9
Youth aid officer	4.9	43.7	44.6	6.2	0.6
Non-statutory social service agencies	4.9	33.6	60.0	1.2	0.3

Only thirty-three social workers specified other people with whom they consult regarding the activities to be carried out during the supervision period. Fifteen of these specified peers of the child or young person and other responses included relatives or extended family, potential employers and clubs.

### 8.3 Key points

- Ninety percent of social workers plan the form that legal supervision will take;

- . The majority of social workers usually or always include in their plan: frequency of contact to be made with both youngster and parents, goals (and objectives for meeting these), activities to be carried out by and with the youngster, and activities to be carried out by and with the parents;
- . The majority of social workers usually or always consult with the child or young person, the parents or guardians and the senior social worker on activities to be carried out during the supervision period.



## 9. GOALS

### 9.1 Goal setting

There were 327 replies to a question on whether goals are set for the supervision period. The vast majority (90%) of those responding do set goals.

There was some consistency in the types of goals reported, with goals relating to improved relationships, school attendance and employment each mentioned by approximately one third of the respondents. The development of individual "social and survival skills" was mentioned by some social workers. A practical example cited was encouraging reading skills through learning the road code.

Goal setting is largely a joint exercise between social worker and client with 85% of those who set goals saying that they either usually or always set them jointly. In sharp contrast only two social workers said they never set goals jointly. One social worker went to some length to describe how he adopted a similar approach to that used for planning for children in care, specifying goals and tasks and monitoring progress.

### 9.2 Goal attainment

Setting goals and achieving them are however, different matters. While nearly 80% of those who set goals usually or always attempt to measure whether they have been met, only 26% of those measuring goal attainment were able to say that the goals are either usually or always achieved. The majority (74%) reported that goals are achieved only sometimes or around half the time.

Assessing whether the goals are attained is the obvious way of measuring the effectiveness of the supervision period. However, three quarters of those responding said that they also at times use other means to assess effectiveness. These other measures, in order of their frequency of use, include:

- . assessing whether there has been a change of attitude towards other people or towards life in general by the client,
- . assessing whether "things have settled down" or whether, on the other hand, there has been re-offending or behavioural problems have continued,
- . making a subjective evaluation as to whether the progress that has been made has been worthwhile,
- . assessing whether a trusting, open relationship has been achieved between the social worker and the client, and
- . assessing whether improvements have been achieved in areas other than those for which goals have been set.

An interesting idea mentioned by a number of respondents was that their assessment is often made via a structured appraisal session held with the client and parents. It was commented that such a setting provides a good opportunity to discuss the need for ongoing social work involvement.

### 9.3 Key points

- |  |
|--|
| <ul style="list-style-type: none"><li>. The vast majority (90%) of social workers set goals for a period of legal supervision;</li></ul> |
|--|

- . Goal setting is largely a joint exercise between social worker and client;
- . Nearly 80% of those who set goals usually or always attempt to measure whether they have been met;
- . The majority of respondents (74%) reported that goals are achieved only sometimes or around half the time;
- . Three quarters of those responding also use other means of determining the effectiveness of the supervision period.

10. TIME SPENT ON LEGAL SUPERVISION

10.1 Time Spent

It is very difficult to estimate time spent on different activities. Nevertheless social workers were asked to indicate both the broad order of magnitude of time they spend on activities related to their legal supervision caseload and the number of hours per week this involves. Similar questions were asked of supervisors on time spent supervising social workers with regard to their legal supervision caseload. Responses to the questions on order of magnitude of time spent are set out in Table 16 below.

TABLE 16. TIME SPENT ON LEGAL SUPERVISION BY THOSE WITH A LEGAL SUPERVISION CASELOAD AND BY THOSE SUPERVISING OTHER SOCIAL WORKERS CONCERNING THEIR LEGAL SUPERVISION CASELOAD.

Amount of total work time	Those with a caseload (N = 256)		Those supervising others with a caseload (N = 107)	
	Number	%	Number	%
None or virtually none	29	11.3	18	16.8
About 10%	104	40.6	58	54.2
About 20%	54	21.1	17	15.9
About 30%	37	14.4	9	8.4
About 40%	12	4.7	3	2.8
About 50%	16	6.3	2	1.9
About 60% or more	4	1.6	0	0.0
Total	256	100.0	107	100.0

One half of respondents spend 10% or less of their total work time on their legal supervision caseload, while three quarters spend 20% or less. Conversely, only one quarter spend 30% or more of their work time on legal supervision caseload activities. The mean number

of hours per week spent on legal supervision by those with caseloads is 7. The modal response was 4 hours (17% of respondents).

The amount of time spent on supervising social workers with a legal supervision caseload is also quite small. Nearly three quarters of supervisors spend 10% or less of their time supervising social workers with regard to their legal supervision caseload. Both the mean and the modal time input is 4 hours per week (one quarter reported spending 4 hours per week).

A common reaction to the question on time use was that the gradation between the response categories "none or virtually none" and "about 10%" was too great. A number of social workers reported that their preferred response fell somewhere in between.

The single most commonly reported problem associated with legal supervision was "lack of time" (see Section 15.1). Given social workers' generally favourable assessment of legal supervision as a means of intervention, this suggests that the modest time input into legal supervision activities is necessitated by pressure of work of higher priority rather than lack of enthusiasm by social workers. It should also be remembered that the average number of legal supervision cases per social worker is relatively small (a mean number of seven).

#### 10.2 Key points

- . One half of respondents spend 10% or less of their total work time on their legal supervision caseload;
- . Nearly three-quarters of supervisors spend 10% or less of their time on activities related to legal supervision.

11. NATURE OF LEGAL SUPERVISION ACTIVITIES

11.1 Focus of legal supervision activities

Nearly one half (47%) of the 288 respondents to a question on the most common focus of legal supervision activities indicated that their primary focus is the behaviour of the child or young person. (A further 20% rated this as the second most important focus of their work).

The only other significant responses to this question were 28% rating relations between the child or young person and their parents or guardians as the primary focus and 16% according greatest importance to relations between all family members.

11.2 Legal supervision activities and time spent on them

There was interest in the types of activities social workers carry out as part of the legal supervision process and the amount of time spent on individual activities. Social workers were asked to indicate the amount of time, out of the total they spend on legal supervision, that they spend on certain nominated activities. Results for the 287 social workers responding to this question are set out in Table 17 on the next page.

Inspection of the table reveals a clear pattern. By far the most time consuming activity is face to face contact with the individual child or young person alone. Over two thirds of respondents report that they spend a lot of their total legal supervision time in this way.

Activities absorbing an intermediate amount of time are (ranked in order by the proportion reporting that the activity absorbs a lot of

TABLE 17. DISTRIBUTION OF CASELOAD OF WORKERS BY AMOUNT OF TIME SPENT ON SELECTED ACTIVITIES (N = 287).

Activity	Percentage reporting they spent indicated amount of time on activity <sup>1</sup>			
	None	A little	Some	A Lot
	%	%	%	%
<b>A. ACTIVITIES ABSORBING A LOT OF TIME</b>				
Face to face contact with individual child or young person alone	1.4	5.6	26.8	64.5
<b>B. ACTIVITIES ABSORBING AN INTERMEDIATE AMOUNT OF TIME</b>				
Paper work	1.1	25.1	47.7	24.4
Face to face contact with child/young person and parent(s)/guardian(s) together	0.4	22.3	55.8	19.5
Face to face contact with parent(s)/guardian(s) alone	0.7	20.2	59.6	17.1
Travelling	3.5	31.7	48.4	13.9
Contact with school	4.2	31.0	52.6	10.5
Activities concerning employment of young person	10.8	30.7	45.3	9.1
Telephone contact with parent(s)/guardian(s)	4.9	38.7	46.3	7.7
Telephone contact with child or young person	11.9	44.3	34.2	6.6
<b>C. ACTIVITIES ABSORBING LITTLE OR NO TIME</b>				
Activities concerning community work	18.8	43.2	27.5	7.0
Group work with child or young person	62.4	18.5	8.0	4.9
Liaising with social welfare volunteers	45.0	35.9	11.2	3.5
Contact with psychologists, child health clinics etc.	17.1	53.0	23.3	3.1
Contacting local sports clubs, other clubs etc.	29.3	51.9	13.9	1.4

<sup>1</sup> Row percentages do not add to 100. The omitted category is the percentage not responding.

time); paper work, face to face contact with children and parents together, face to face contact with parents or guardians alone, travelling, contact with schools, activities concerning the employment of the young person and telephone contacts.

It appears that the fourteen nominated categories provide a good coverage of legal supervision activities. Respondents were invited to indicate activities other than those listed which they carry out with or for their caseload. Just 10% nominated any other activities, the only one mentioned by more than one respondent being organising and participating in sporting or recreational activities such as sports, tramps and camps.

#### 11.3 Differences in time allocation of activities for care and protection versus control cases

Social workers were asked to indicate, for eleven of the fourteen activities specified in Table 17, whether the average amount of time spent per case differed for care and protection as opposed to control cases. Half of all responses to this question indicated no difference between the two types of case while one third indicated that more time is spent on care and protection cases.

Sixty three percent of respondents indicated that care and protection cases involve them spending more time in face to face contact with parents or guardians alone and 48% indicated this for referral or consultation with other professionals. On the other hand, over 40% of respondents said that with care and protection cases less time is spent on group work and on telephone contact with the child or young person. These latter findings could be partly accounted for by the young age of many care and protection cases.



#### 11.4 Types of activities arranged

Respondents were invited to list activities, such as participation in sports clubs and community programmes, that they arrange for their clients. (Some social workers pointed out that they do not arrange such activities although they encourage or facilitate involvement in them).

The most frequently cited activities were involvement with sports clubs (20% of all mentions), youth group activities (15%), work related activities (12%) and camps (10%).

#### 11.5 Place of contact with child or young person

Social workers were asked to rank various locations in order of the frequency of use, at which contact with children and young persons on their caseload takes place. The home was rated as the most used place of contact by 61% of social workers, and as the second most used location by 30%. The office was rated as the primary place of contact by 29% of respondents and was ranked second by 35%. Schools are also used quite extensively as a meeting place. Two thirds of social workers use the street as a meeting place, but less frequently than the other places listed.

#### 11.6 Place of contact with parents or guardians

By far the most frequent place of contact with parents or guardians is the home. Eighty six percent of respondents gave the home the highest ranking while a further 10% said that this was the second most frequent place of contact. The office was cited as the most frequent place of contact by 11% and as the second most frequent contact point by over two thirds. Other locations sometimes used include the psychological service office, the street or town and the parent's place of work.

11.7 Method of arranging contact

Social workers prefer to schedule their meetings with clients on a regular basis. Regular reporting by the child or young person to the office and regular home visits by the social worker were both cited by over 40% of respondents as the most frequently used method of arranging their client contacts. The only other arrangement used by a significant number of respondents is non-scheduled visits by the social worker (14% use this method most frequently).

11.8 Key points

- . The most common focus of legal supervision activities is the behaviour of the child or young person;
- . The most time consuming legal supervision activity is face to face contact with the child or young person alone;
- . The home is the most frequently used place of contact with the child or young person and with the parents or guardians;
- . Most social workers schedule their meetings with legal supervision clients on a regular basis.

## 12. SPECIAL SCHEMES

### 12.1 Current schemes

One third of social workers reported that there are special schemes in their district which cater mainly for legal supervision cases. Descriptions were provided by social workers from 31 offices and responses from each office are summarised in Appendix III.

The most common type of scheme is some kind of weekend camping activity or outdoor education programme. Twenty-three offices provided descriptions of such schemes. Although many district offices organise these schemes themselves, more frequently they rely on other bodies such as the YMCA or local churches to co-ordinate and run them. Social, cultural and sporting activities are also organised for youngsters on supervision, sometimes in the context of a weekly supervision group.

A small number of districts make use of employment schemes, work skills programmes, marae activities, a youth guidance scheme organised by Youth for Christ, and the Rydum programme organised by the YMCA.

### 12.2 Special schemes no longer operating

Ninety-six social workers from 30 different offices described special schemes which have been tried in the past but are no longer operating. The most commonly cited schemes involved group meetings or group supervision. Others included holiday and adventure camps, pre-employment and employment schemes, family emergency support networks, social skills schemes, homework centres, sporting and recreational activities and community work schemes.

Schemes ceased to exist for a variety of reasons, the most frequent being inadequate attendance by youngsters, personnel or staff changes (particularly involving the departure of the key initiator), and time pressure or the need for reallocation of time commitment. Amongst the reasons given for inadequate attendance at discussion groups in particular, were transport difficulties (especially in country areas), and in some cases the feeling that the activities did not meet the needs or hold the interest of the youngsters involved. Other reasons why schemes ceased to operate included lack of support from departmental authorities in recognising the time commitment involved in their organisation, lack of funds and lack of support from parents.

### 12.3 Other activities of interest

Only 45 social workers responded to a request to describe other activities involving legal supervision cases which might be of interest to districts. The most frequently cited activity was the Rydum scheme aimed at redirecting youth development using minibikes. The youth guidance scheme run by Youth for Christ was also cited by several respondents, as was community work for people such as the aged, solo parents and the disabled. In one district some supervision cases are involved in tuition of younger children in group dance. Other specific schemes suggested as being beneficial include Boys Rally or other similar organisations for girls and boys, Kokiri schemes and Maori Community Committee activities, Outward Bound, hospital, school and departmental therapeutic, counselling and discussion groups and local church programmes which arrange a variety of evening activities, social events, outings and camps.

12.4 Key points

- . Camps and outdoor activities for legal supervision cases are organised or utilised in many districts;
- . The type of scheme most often cited as having been tried in the past but no longer operating is group work;
- . Reasons why schemes ceased to exist included inadequate attendance, staff changes and time constraints.

13. COMMUNITY WORK

One hundred and sixty two social workers between them had a total of 468 community work cases on their legal supervision caseloads. Ninety percent of these also had regular legal supervision cases on their caseloads. This situation provided an opportunity to assess any differences for social workers in handling cases with and without the community work condition attached.

13.1 Time input

Of the 239 social workers who responded to questions comparing community work cases with other legal supervision cases, nearly half (45%) said they spend less time or much less time on community work cases. Slightly fewer (41%) said community work cases involve about the same amount of time. The reason cited most frequently for community work cases taking less time (by 41% of those offering comment) is the role of the community work supervisor. Conversely, in areas where there is no community work supervisor, tasks such as arranging the community work, reporting and visiting, and chasing of non-attenders, were cited as reasons for community work cases taking more time than other legal supervision cases. About one quarter of the social workers who responded to this question reported they spend less time on community work cases because they recommend legal supervision in these cases for no other reason than to get the youngster placed on community work. This situation was, however, avoided in one district where it was stated that the Court orders community work without a legal supervision order.

One interesting contrast which emerged from the comments was in relation to an assertion that a child or young person placed on

community work often responds positively. Some respondents claimed that this was the justification for spending less time with the case while another used the same situation as the justification for spending more time on the case, especially at the beginning.

### 13.2 Casework

The fact that community work cases are less time consuming than other legal supervision cases for a large number of social workers does not mean that individual casework is not carried out with these clients. Only seven social workers said they never carry out casework with a community work client while nearly 60% said they either usually or always carry out casework with these clients. A common reason for carrying out casework was that these clients usually have problems, especially behavioural problems, which need attention.

### 13.3 Non-attendance

Non-attendance is a major problem with community work cases. The majority of social workers (76% of those who answered questions on community work cases) reported that there have been instances where a youngster on their caseload has deliberately failed to attend for community work. However, fewer than one half (38%) of non-attenders are taken back to Court.

A large proportion of the study population (64%) did not respond when asked whether the provision for complaint action for non-attenders is useful. However, of those who did respond to this question, the majority (65%) had a positive view of the utility of the provision. In addition to it being a useful sanction against the non-attender (23% of responses) and upholding the authority of

the Court (20% of responses), other positive views included that it is useful and necessary as a last resort in extreme cases. The most widely held negative view of complaint action in these cases (held by 23% of the social workers who responded) was simply that such action is inappropriate or is a waste of time. Others felt that alternative action, such as a strong verbal warning or a visit to the parents is sufficient and avoids further alienation from authority.

#### 13.4 Attachment to legal supervision

A question which was included in the questionnaire to elicit opinions on whether community work should be separated from legal supervision, was, unfortunately, somewhat loosely worded. The question as asked was "As a general principle, do you think it is sensible for community work conditions to be attached to a legal supervision order?". Of the 350 people who replied to the question, 226 (65%) said yes, 30% said no and 5% didn't know. However, many of the people who answered yes, also made comments like: "Community work should be completely separated from legal supervision"; "I feel it should also be available to stand on its own"; "But it would be handy if we could have community work without legal supervision". These comments are more consistent with a "No" response to the intended meaning of the question.

From an analysis of the comments that were received on the question, rather than relying solely on the categorical responses, the view that emerges is that many social workers consider it would be useful if community work could be ordered without compulsory attachment to a legal supervision order.



### 13.5 Purpose

To complete the picture of community work cases, social workers were asked what purpose they regard community work as serving. A wide range of purposes were mentioned. Retributive purposes (tangible penalty, deterrent, reparation, etc.) accounted for 45% of responses, and rehabilitative purposes (teaching job skills, responsibility, keeping young persons occupied, constructive use of time, etc.) accounted for 52%.

### 13.6 Key points

- . Community work cases involve either the same or less time for social workers than do other legal supervision cases;
- . Community work cases involve less time for some social workers because of the role of the community work supervisor;
- . Individual casework is generally carried out with community work cases;
- . Non-attendance by the young person is a major problem with community work cases;
- . Only a relatively small proportion of non-attenders are ever taken back to Court;
- . It would be useful for social workers if community work could be ordered without legal supervision;
- . Social workers' views about the purpose of community work are fairly evenly split between retributive purposes (punishment, reparation, etc.) and rehabilitative purposes (teaching responsibility, constructive use of time, etc.).

14. ADDITIONAL CONDITIONS TO SUPERVISION ORDER

Nearly all social workers (355) replied to a question on the usefulness of conditions applying to supervision orders. Results are presented in Table 18 on the next page.

14.1 Usefulness of conditions

The table shows that most enthusiasm was expressed for the conditions of: "community work", "child or young person to report as and when required", "social worker right to visit at all reasonable times", and "undergo medical, psychological or psychiatric examination". These conditions were judged to be very useful by 64%, 51%, 49% and 44% respectively of those answering each question. Around 30% of respondents assessed as very useful the conditions of: "payment of costs/damages/compensation", "not to own or drive a motor vehicle", and "attendance at centres conducting educational, recreational or cultural programmes".

On the other hand, conditions considered not useful by a high proportion of those responding were: "not to continue in employment not approved by the social worker" (54%), "non-association with any specified person or persons of any specified class" (36%) and conditions relating to "earnings as Court thinks fit" (25%).

As previously mentioned, difficulty in enforcing the non-association condition was mentioned by several respondents to the question on problems (see section 15). Problems were also noted with the "live where directed" condition, with the number of community work hours sometimes ordered, and with conditions being either too specific or too "waffly".

TABLE 18. DEGREE TO WHICH RESPONDENTS HAVING EXPERIENCED THE VARIOUS CONDITIONS OUTLINED IN THE ACT HAVE FOUND THEM USEFUL.

CONDITION	Percentage reporting each condition useful <sup>1</sup>				Number <sup>2</sup>
	Not Useful	Slightly Useful	Moderately Useful	Very Useful	
	%	%	%	%	
<b>A. <u>CONDITIONS FOUND VERY USEFUL</u></b>					
Undertake community work	3.6	5.4	25.3	64.3	336
Child or young person to report as and when required	2.6	11.3	33.6	51.3	345
Social worker right to visit at all reasonable times	7.0	14.1	27.9	49.0	341
Undergo medical, psychological, or psychiatric examination	2.2	18.3	33.3	43.9	312
<b>B. <u>CONDITIONS FOUND MODERATELY USEFUL</u></b>					
Payment of costs/damages/compensation	5.4	21.7	37.7	32.5	332
Not to own or drive a motor vehicle	18.2	20.9	28.0	30.6	297
Attendance at centres conducting educational, recreational, cultural, programmes etc	9.7	25.9	31.4	29.3	290
Non-residence at address not approved by social worker	12.0	30.3	32.5	22.4	326
Conditions relating to place of residence, employment, as Court thinks fit	12.0	33.8	30.6	21.5	317
Undertake remedial education, training etc	16.9	27.1	30.6	20.8	255
<b>C. <u>CONDITIONS FOUND SLIGHTLY OR NOT USEFUL</u></b>					
Non-association with any specified person, or persons of any specified class	36.0	27.4	19.5	14.6	328
Conditions relating to earnings, as Court thinks fit	24.9	30.0	29.4	13.3	293
Not to continue in employment not approved by social worker	53.7	25.8	11.0	6.4	283

<sup>1</sup> Row percentages do not add to 100. Omitted category is percentage not responding.

<sup>2</sup> Those indicating they had insufficient experience to judge a particular condition have been excluded from the row totals.

#### 14.2 Breach action

The study examined the use of breach action when conditions (other than community work which was discussed separately in the previous section) are not kept. Of those for whom this problem has arisen, 5% said they always take the case back to Court, 16% usually do so and 50% sometimes take the case back. However 26% report they never take the case back.

Those not bringing cases back to Court were asked to indicate why they do not do so. Twenty seven percent of responses could be classified as taking alternative action, for example giving a written or stern warning; discussion with young persons, parents or employer; or counselling. Twenty four percent of respondents felt breach action was not useful or would not have the desired effect and similar responses were given by a further 8% who felt that if the case was progressing satisfactorily in other ways, such action could be counter-productive.

A further 11% of respondents had thought that the conditions were unrealistic anyway and 17% ignored the breaking of conditions if the supervision period was about to expire or if the supervisee was about to turn 17. The remainder of the responses included comments on the difficulty of proving that conditions have been broken, the amount of paper work involved, the client re-offending before action could be taken, and the lack of alternative recommendations available.

#### 14.3 Key points

- . Most enthusiasm was expressed for the conditions of:  
community work, social worker right to visit at all  
reasonable times and the requirement that the client undergo  
medical, psychological or psychiatric examination;

- . A high proportion of respondents considered conditions regarding employment, non-association and earnings, not to be useful;
- . Twenty six percent of respondents never take the case back to Court if conditions are not kept.

15. PROBLEMS, IMPROVEMENTS AND GENERAL COMMENTS

15.1 Problems

Fifty percent of social workers described one or more problems with aspects of legal supervision. Four problems received most mention, namely:

- . lack of time (mentioned by 34 social workers);
- . lack of parental involvement and participation (18);
- . lack of resources, e.g. community and staffing (15);
- . difficulty in working with cases passed on from another social worker or imposed by the Court but not recommended by the caseworker (15).

15.2 Improvements

Respondents were also asked to suggest improvements to legal supervision. Over one third did so. Two suggestions in particular were made by several respondents, namely:

- . that legislative provisions applying to parents should be introduced (either in general or for parent training, budgeting assistance or alcohol treatment) or that legal supervision should apply to the whole family not just the child or young person (34 responses);
- . that it should be possible to order community work without a legal supervision order (21).

### 15.3 Summary of comments

In addition to questions on problems and improvements, social workers were also asked for general comments on any aspect of legal supervision. Many of the same issues were reported in all three places. These responses have therefore been combined for analysis to avoid double or triple counting. The listing below summarises the topics mentioned under broad groupings and indicates the level of support for each.

#### Parents (76 mentions)

- . Forty three social workers in all stated that lack of legal provisions applying to parents were a problem or commented that the introduction of such provisions would be an improvement. For example "like to see it inclusive of parents - i.e. being made responsible legally - provisions made for parent support centres with programme of parent training". "Penalties and implications are always suffered mostly by kids. Very little that can or will be imposed on parents by Court".
- . Lack of parental involvement and co-operation was specified as a problem by eighteen social workers, for example "Parents can leave bringing up the child or young person to the social worker and neglect their own responsibilities"; "Parents not always very helpful"; "If parental attitude is poor progress is often limited".

#### Time (68 mentions)

- . Forty two respondents stated that lack of time was a problem or that more time to carry out legal supervision would be an improvement. Others stated that pressure of work was a problem or that caseloads were too large.

- . Difficulties associated with the distance from the office of clients in country areas were cited by 11 social workers, a number of whom mentioned the difficulties this meant for group work:

"Supervising cases where families and children live a long distance from the local office and are not on the phone. Virtually impossible to meet regularly or frequently enough for contact to be worthwhile".

Court related (57 mentions)

- . Ten social workers said that the Courts should require a supervision plan and a further 12 said that goal setting and plans are essential. Such comments included:

"Courts should require a supervision plan to be presented to them prior to a supervision order being made - a plan that has been agreed to by both client and social worker"; and also,

"I'm sure the Court doesn't know what social workers do with young people on supervision. A planning system similar to planning for children in care would be useful. A dual system - I deal with the 'offence' part and establish need for intervention and then plan the intervention and then impose a 'sentence' with conditions to meet the requirement of the plan - resubmit to the Court for approval".

- . Seventeen respondents mentioned there being a need for the Court not to make inappropriate orders and for it to understand what legal supervision is and why social workers recommend it. One suggestion was as follows:



"From the Court's point of view it could be good feedback to send them a letter/report at expiry of supervision explaining what has/has not been achieved. This is purely to inform, not for Courts to tell social workers how to do their job. If Court is a social work tool they should hear about the success stories too. Think Judges may need assistance/education on the reality of some of the conditions they impose";

and another;

"Let Judge know what kind of service the client will get if he/she is placed on supervision so they can decide whether or not they feel it is an appropriate recommendation"

- . A related problem was the difficulty of working with cases which had been imposed by the Court and not recommended by the social worker or which had been passed on to the social worker after another social worker had prepared the report. As one social worker pointed out "If expected to supervise but haven't made the recommendation it's difficult to know what you're expected to be doing".
- . Other Court related improvements are:
  - the relevant Court should be the Family Court;
  - the Court or social worker should explain legal supervision to the client;
  - there should always be a representative of the child or young person in Court when decisions are reached.

Funding (46 mentions)

- . Twenty three social workers said that the Department should make funds more readily available for legal supervision cases. A typical example reads:

"Funds should be more freely available for supervision kids (they often have as much need as State Wards, temporarily) e.g. financing trips, clothing etc. Money is good therapy sometimes. Guardianship shouldn't be the only way".

- . A further 23 social workers more generally quoted "lack of resources" as a problem.

Community Work (43 mentions)

- . The need to separate community work from legal supervision was mentioned by 32 respondents. Others cited the need for a community work supervisor or an organised community work scheme in their area or claimed there was a need for community work for girls.

Conditions (39 mentions)

- . Problems with the non-association clause arising here have already been referred to in Section 7. Other respondents mentioned the need for careful examination of some conditions.
- . Eleven social workers mentioned the need for a more suitable remedy than return to Court for non-compliance with conditions. Most did not specify what form this should take although one suggested compulsory fines.

- . Related comments were of the form "has no teeth"; "legal supervision should be given more strength and made a viable alternative to guardianship"; "effectiveness rests on bluff - reluctant to use guardianship".

Length of Orders (22 mentions)

- . Twenty two respondents claimed that orders should be shortened or that the length should not be more than six months.

Miscellaneous

- . The need for co-operation from the client was mentioned by 15 social workers.
- . Nine respondents mentioned the need for proper training and supervision of social workers as regards legal supervision. An example of a suggested improvement was "some input from training section of Head Office; e.g. courses and circulars, written material to give us some models". A need for clarification of the social worker's specific role and tasks in supervision was also mentioned.

Other issues which were cited by six or fewer persons included the following:

- . That care and protection and control cases should be catered for separately and that a conflict between supervision as a penalty and as social work can cause problems.

- . That Judges or some figurehead such as the Assistant Director (Social Work) should chair periodic meetings to assess progress, for example "Review panel - and perhaps a written report at end of supervision period for young person and parents".
- . That there should be a simple procedure for terminating an order early if appropriate.
- . That there should be some discharge mechanism if the child or young person can perform a task (other than community work).

15.4 Key points

- . More legislative provisions applying to parents would be welcomed by many social workers;
- . Lack of time is the most frequently cited problem;
- . More communication between social workers and the Court could be useful;
- . Funds should be made more readily available for supervision cases;
- . A community work option should be available independent of a legal supervision order;
- . The utility of some conditions has been questioned.

## 16. OVERVIEW

### 16.1 Purpose of legal supervision

Legal supervision serves a variety of purposes for social workers in the Department. No one single theme or purpose emerged from the comments and responses submitted by social workers in the study. Indeed such was the variety of responses that five broad categories each accounted for between 10 and 16 percent of the purposes mentioned. In order of popularity these broad categories are:

- . a control mechanism;
- . providing support to the child;
- . providing protection and oversight to the child;
- . providing a legal basis for contact with the family;
- . providing support to the parents.

For the purposes of comparison, a quick scan of the Social Workers Manual also reveals the following references to the intended purposes of legal supervision:

- . attempting to relieve or resolve any difficulties which may have led to the Court appearance (E8.14);
- . improving family relationships and helping with any problems (E8.16).

It could be said that these statements from the manual generally promote the idea of legal supervision as a positive, rehabilitative measure. In this regard it is perhaps worth noting that other than the purpose of "a control mechanism" and a very small number (4.0%) of negative responses such as "very little purpose", the majority of purposes which social workers identified for legal supervision could also be described as positive or rehabilitative.

## 16.2 Usefulness

To obtain an overall view of how social workers value legal supervision, questions were asked on its usefulness as a Court outcome and its usefulness as a social work tool. The responses are summarised in Table 19 below.

TABLE 19. ASSESSMENTS OF USEFULNESS OF LEGAL SUPERVISION AS A COURT OUTCOME.

Assessment	As a Court outcome		As a social work tool	
	<u>Number</u> <sup>1</sup>	<u>Percent</u>	<u>Number</u> <sup>2</sup>	<u>Percent</u>
No opinion	2	0.6	4	1.1
Not useful	0	0.0	1	0.3
Slightly useful	22	6.1	37	10.5
Moderately useful	99	27.7	153	43.2
Very useful	235	65.6	159	44.9

1. There were 358 responses to this question.
2. There were 354 responses to this question.

It is clear from the results presented in the table that the large majority of social workers consider legal supervision useful both as a Court outcome and as a social work tool. However, in comparing the responses to the two questions it is notable that there is a difference in the distribution of the assessments. Not all of those who consider legal supervision to be very useful as a Court outcome also consider it to be very useful as a social work tool.

## 16.3 Legislative provisions

Social workers were also asked what they thought should be done with the legislative provisions for legal supervision. Ninety nine percent thought that they should be retained, either in their present form (44%) or in modified form (55%). Only four people thought the provisions should be removed from the Act.

16.4 Key points

- . Legal supervision serves a variety of purposes for social workers, but the majority of purposes identified by social workers could be described as positive or rehabilitative;
- . Social workers regard legal supervision as useful, both as an outcome of the Court and as a social work tool;
- . Virtually all social workers want the legal supervision provisions retained in the Act, but more than half (55%) want them retained in a modified form.

17. PROFILE OF LEGAL SUPERVISION

The following has been constructed from analysis of questionnaires completed by the 368 respondents having current or recent experience with legal supervision. The intention is to provide a summary description of legal supervision.

- . Over half of the caseworkers dealing with legal supervision are women;
- . Social workers involved with legal supervision tend to be younger than other social workers;
- . Legal supervision caseworkers and supervisors have generally spent less time with the Department than have other social workers;
- . The average number of legal supervision cases (for social workers with such cases on caseload) is seven;
- . Three quarters of legal supervision cases are classified as control cases. One third of these have community work conditions attached;
- . Most social workers with legal supervision caseloads both make the recommendation concerning legal supervision and receive the case on caseload;
- . The factors having the strongest influence on social worker decisions about whether to recommend legal supervision are, the extent to which the social worker considers legal supervision will be beneficial to the child or young person,



the nature of the incident or misbehaviour, the home situation of the child or young person and the appropriateness of alternative legislative options;

- . The people mainly involved in pre-recommendation discussions with the social worker are the parents or guardians, the child or young person and the senior social worker;
- . Social workers tend to treat with a minimum of effort those Court orders (or conditions attached to orders) which they consider to be inappropriately made;
- . The majority of respondents claim that the optimum period within which the benefits of supervision will be achieved is six months or less;
- . Ninety percent of respondents plan the form that legal supervision will take;
- . The majority of respondents usually or always consult with the child or young person, parents or guardians and the senior social worker on activities to be carried out during the supervision period;
- . The vast majority of social workers set goals for the supervision period;
- . Goal setting is largely a joint exercise between social worker and client;
- . A mean number of 7 hours per week is spent on supervision by those with legal supervision caseloads;

- . The behaviour of the child or young person is the most common focus of legal supervision activities;
- . Most social workers schedule their meetings with legal supervision clients on a regular basis;
- . Special schemes, catering mainly for legal supervision cases, are organised in most districts;
- . Non-attendance by the young person is a major problem with community work cases and only a relatively small proportion of non-attenders are ever taken back to Court;
- . A high proportion of respondents considered the legislative conditions regarding employment, non-association and earnings, not to be useful;
- . Lack of time is the most frequently cited problem social workers report with legal supervision;
- . Legal supervision serves a variety of purposes for social workers the majority of which could be described as positive or rehabilitative;
- . Virtually all social workers report that the legal supervision provisions should be retained in the Act, but more than half (55%) want them retained in some modified form.

18. CONCLUSIONS AND RECOMMENDATIONS

18.1 What is legal supervision?

In the project plan it was agreed that the Evaluation Unit should undertake a study that would "... produce a description of the legal supervision process, and .... assist management in making a judgement as to whether legal supervision is an acceptable service."<sup>1</sup> It was envisaged that subsequently a managerial assessment would be made as to whether current legal supervision practice is an appropriate use of resources.

The profile produced in section 17 presents a synopsis of legal supervision as provided by the Department of Social Welfare, while sections 4 to 16 give a more detailed account.

It is suggested that the description produced in this report is sufficient to enable management to conclude that legal supervision:

- is widely regarded by social workers as a useful social work intervention;
- does not place inordinate demands on social workers in terms of time and effort;
- should continue to be both available as a Court outcome and as a social work tool.

RECOMMENDATION 1

That senior social work management agree to retain legal supervision as a Court outcome and as a social work tool.

## 18.2 Improvements to legal supervision

In the course of the study, a number of matters emerged which suggest that improvements could be made in the legal supervision process. It is the judgement of the Evaluation Unit that the improvements discussed below warrant serious consideration. For presentation purposes they have been grouped into three sections; those requiring legislative changes, those involving resources, and those that would require some other form of departmental action.

## 18.3 Matters involving legislation

- (i) Social workers expressed concern about the lack of legislative provisions applying to the parents of children and young persons undergoing legal supervision. It was suggested that at present there is too great an emphasis on the child or young person and that parents should be able to be placed on supervision along with their children and, where appropriate, be ordered to undergo parental training or to take advice on budgeting or alcohol abuse. Some social workers feel that the need for parents to be made more accountable applies particularly to care and protection cases.
- (ii) There is clear support for the view that legal supervision will achieve its most beneficial effects within a period of six months. As some Courts tend to order legal supervision for much longer periods, consideration should be given to reducing the maximum length of an order to 12 or 18 months.

- (iii) Social workers have found three conditions in particular to be less useful than others which the Court may impose. As some social workers presently ignore conditions which they cannot enforce, consideration should be given to a review of existing conditions with the possibility of amending or removing some from the Act.
- (iv) The failure to use breach action in many cases of non-compliance with conditions (including cases of non-attendance for community work), suggests the need to review the utility of this action and consider alternative ways of dealing with non-compliance.
- (v) The degree of support for separating community work from legal supervision suggests that consideration should be given to the implications of such a move. If such a move is contemplated it would also be appropriate (in view of the fact that the study revealed a clear split in the types of purposes which social workers see for community work), to consider the role of community work in the social services.

#### 18.4 Matters involving resources

- (i) The point was made that children and young persons under guardianship should not be the only ones to benefit from departmental funding of such items as club fees and sports uniforms. It has been suggested that consideration should be given to the wider use of the provision in the Children and Young Persons Act 1974 which permits funds to be made available to children and young persons who would benefit from such assistance. It was felt that the availability of such funds for youngsters undergoing legal supervision would open up a wider range of activities for these youths to participate in and greatly assist social workers in their work.

- (ii) It was claimed that some special schemes providing alternative activities for legal supervision cases lapsed because of the pressure of work on the social workers involved in running them. In view of the reported success of these schemes, it may be advantageous to recognise the input of social workers who run the schemes, by providing them with more time to spend on such activities.

#### 18.5 Matters for other action

- (i) One idea to emerge, which brings together a number of matters, is that of a formal case plan for youngsters on legal supervision. As the vast majority of social workers reported that they already plan the form that a period of legal supervision will take, it seems fair to suggest that such planning could be formalised using a standardised case plan as with planning for children in care.

A case plan could overcome a variety of problems including the difficulty, reported by some social workers, in carrying out supervision with cases where the recommendation has been made by another social worker and their intention for the period of supervision is not clear. Case plans could provide a more structured approach to goal assessment and be used to inform Judges and senior social work staff of the outcome of a period of legal supervision. Furthermore, case plans could be utilised to ensure wide consultation in appropriate cases and provide a vehicle for social workers to canvass the views of their peers so that a broader range of options could be examined in each case.

- (ii) The single most frequently mentioned problem with regard to legal supervision is lack of time. It has been suggested that social workers might be able to utilise their limited time more effectively if they had a sense of priority and direction from Head Office. Training courses, policy statements and guidelines could be considered in working toward meeting this need.
- (iii) There is some concern that Judges and social workers do not always understand what the other hopes to achieve from a period of legal supervision. There would be merit in improving the understanding between these two key participants in the legal supervision process. One step which could be taken would be to distribute this report to Judges of the Children and Young Persons Court and invite them to discuss their views with local departmental staff.

RECOMMENDATION 2

That the matters outlined in sections 18.3 to 18.5 be considered by the Social Work Division as a means of improving the legal supervision process.

RECOMMENDATION 3

That matters requiring legislative change be given early attention so that they may be considered for inclusion in the next Children and Young Persons Amendment Bill.

RECOMMENDATION 4

That Evaluation Unit staff be invited to participate in discussions with the Social Work Division on the proposed improvements to the legal supervision process.

RECOMMENDATION 5

That the report be distributed to Judges of the Children and Young Persons Court for their information and to stimulate comment on their ideas on legal supervision.

18.6 Further analysis of the data

The material presented in this report provides a comprehensive national picture of legal supervision, although further analysis of the data would be possible. Such analysis has not been carried out at this stage as it was felt that it would be appropriate to first ascertain whether it is required by the Social Work Division and if so, exactly what analysis would be most useful to them.

Further analysis could, for example, include a breakdown of some of the material by district to determine the extent of inter-district variation. Cross-tabulations could also be done to establish whether there are any differences in caseloads, activities or approaches of those working in specialised teams compared to those working in generic teams; the mix of legal supervision cases handled by individual social workers; and whether there is any relationship between the number of hours spent on legal supervision and the number of cases on caseload.

Evaluation Unit staff would be happy to assist the Social Work Division should they decide to analyse the data further.

RECOMMENDATION 6

That the Social Work Division decide whether any further analysis of the data is required.



#### 18.7 Further study of legal supervision

In designing this study it was agreed that a related issue was the expectations that persons involved in legal supervision have about what legal supervision is and what it aims to achieve. It was decided in the project plan that the question of any further study in this area would be addressed once the results of this project were known.

The strongest concern about expectations to emerge from the study to date, is in relation to Judges and their views on the purpose and nature of legal supervision. The utility of further study in this area is, however, doubted and the preference of the Evaluation Unit is for more consultative action to be taken with Judges as outlined in section 18.5.

On the basis of the comments which emerged during the study, any examination of the expectations of the police, parents and the children and young persons themselves could not be supported as a priority for Evaluation Unit activity at this time.

##### RECOMMENDATION 7

That no further study proceed at this time on the expectations of those involved in the legal supervision process.

#### 18.8 Distribution of the report

Circular memorandum 1982/152 stated that once the results of the study have been considered by management, they will be distributed to districts. As the report contains information which would be of assistance and interest to local social work managers, supervisors and caseworkers it is suggested it will be appropriate to distribute the report to local social work staff.

##### RECOMMENDATION 8

That the report be released to district social work staff.

## APPENDICES

APPENDIX I - Questionnaire

APPENDIX II - Conditions of Legal Supervision

APPENDIX III - Summary of Special Schemes Operating in Districts

LEGAL SUPERVISION STUDY  
QUESTIONNAIRE

1. INTRODUCTION

This questionnaire forms the major data source for a study of legal supervision which is being carried out by the Social Programme Evaluation Unit. "Legal Supervision" is defined as supervision resulting from a Court order under the provisions of section 31 or 36 of the Children and Young Persons Act 1974.

The primary focus of this study is the activities carried out by social workers undertaking legal supervision. The results of the study will be made available to all districts in mid 1983.

2. INSTRUCTIONS

- (1) If you have a current caseload including legal supervision cases, or if you have had such a caseload in the past six months, please answer all sections of the questionnaire.
- (2) Similarly, if you are currently supervising any social workers who have legal supervision cases among their caseload, or if you have supervised any such social workers in the past six months, please answer all sections of the questionnaire.
- (3) If you do not fall into either of the two categories above please complete only Section 1.

Please give frank responses to the questions. For many of the questions there is no "correct" or "incorrect" answer, as what is required is your personal opinion and experience of legal supervision. Feel free to provide additional comments on any question asked in the questionnaire. If you are not happy with the options provided for answering any particular question, tick the box which best expresses your view and provide a comment in the margin.

3. CONFIDENTIALITY

While your name is not required on the questionnaire, all questionnaires have been individually numbered. This has been done for administrative purposes only, to enable reminder letters to be sent to those who have not returned the questionnaire by the due date. Other than for this purpose your identity will remain completely confidential. Your name will not be specifically related to the questionnaire and accordingly staff analysing the responses will not know who has written which replies.

4. RETURN DATE

In terms of the time schedule within which this project has been approved, analysis of the results must begin straight after the Christmas break. You are therefore requested to mail your reply before 17 December 1982. A return envelope has been supplied for your use.

Thank you for your co-operation and participation. If you have any comments or queries regarding the study please contact the Social Programme Evaluation Unit.

Helen Wyn  
Project Manager

SECTION 1 - BACKGROUND INFORMATION

1. How old are you? \_\_\_\_\_ years

2. Are you: TICK ONE

Male

☐

Female

☐

3. Please indicate, by ticking the appropriate boxes, which of the following educational qualifications you have obtained.

TICK ALL  
THAT APPLY

No formal qualifications

☐

Secondary school qualifications

☐

Partially completed university degree

☐

University degree (Other than social work)

☐

Formal social work qualifications  
(e.g. B.S.W. or Dip. Soc. Sci.)

☐

Trade or other professional qualifications

☐

4. How long have you been a social worker with the Department of Social Welfare? (Include time spent in the Child Welfare Division and the Social Security Department but not time spent on full time University study or extended periods of leave). \_\_\_\_\_ years. (If less than one year, specify months) \_\_\_\_\_ months.

5. What is your designation? TICK ONE

Assistant Social Worker (320.101)

☐

Basic Grade Social Worker (320.102)

☐

Merit Grade Social Worker (320.103)

☐

Senior Social Worker (specify grade)

☐

Other (please specify) \_\_\_\_\_

6. In which district or area welfare office are you located?

\_\_\_\_\_

7. Is your office organised so that some social workers spend considerably more time on legal supervision than others, i.e. is there some degree of specialisation as regards legal supervision?

TICK ONE

Yes ☐  
No ☐

8. If your office is organised along team lines, please name the team(s) you work in. For example Court team, intake team or geographic generic team. Otherwise put not applicable (N.A.).

\_\_\_\_\_

9. Have you ever been involved with legal supervision (i.e. in making recommendations, carrying a legal supervision caseload, supervising other social workers regarding their legal supervision caseload)?

TICK ONE

Yes ☐  
No ☐

If yes, please indicate the length of your experience with legal supervision.

\_\_\_\_\_ years or \_\_\_\_\_ months.

10. Are you currently carrying a caseload including legal supervision cases?

TICK ONE

Yes ☐  
No ☐

If yes, how many legal supervision cases are there on your current caseload?

\_\_\_\_\_ (Please specify number)

If no, has your caseload in the last six months included legal supervision cases?

TICK ONE

Yes ☐  
No ☐

11. Are you currently supervising any social workers who have legal supervision cases among their caseload?

TICK ONE

Yes ☐  
No ☐

If no, have you in the past six months supervised any social workers who have legal supervision cases among their caseload?

TICK ONE

Yes ☐  
No ☐

If you answered yes to either part of question 10 or either part of question 11, please proceed with the questionnaire.

Otherwise, please enclose the questionnaire in the envelope provided and return it to:

Legal Supervision Project,  
Evaluation Unit,  
Department of Social Welfare,  
Head Office,  
Private Bag 21,  
WELLINGTON, 1.

NOTE: The relevance of some questions will depend on the nature of your experience with legal supervision cases. Where a particular question does not relate to your experience please tick the "Not Applicable" (N.A.) box provided.

SECTION 2 - SOCIAL WORKER RECOMMENDATIONS

12. How do you generally become involved with legal supervision cases?

TICK THE  
MOST USUAL

Make recommendations for legal supervision but do not  
get the cases on caseload

☐

Make recommendations for legal supervision and get the  
cases on caseload

☐

Do not make the recommendations but get the cases on  
caseload

☐

Supervise social workers with legal supervision caseloads

☐

Other (please specify)

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13. Which of the following do you consider when deciding whether to recommend legal supervision? Where the factor is considered, indicate extent of influence. (If you have never considered a recommendation for legal supervision, tick N.A.).

N.A. ☐

TICK ONE BOX IN EACH ROW

	FACTOR NOT CONSIDERED	FACTOR CONSIDERED			
		No Influence	Slight Influence	Moderate Influence	Strong Influence
Age of child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nature of misbehaviour/offence (if control <sup>1</sup> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nature of incident (if care and protection <sup>2</sup> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Previous misbehaviour or offending by child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Views of senior social worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community pressure for action	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Views of police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Likely attitude of judge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Expected co-operation of parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Expected co-operation of child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Presence in community of resources to assist with supervision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This question continued overleaf .....

1 Control cases are defined as those where the child or young person is under legal supervision as a result of offending or misbehaviour.

2 Care and Protection cases are defined as those where the primary reason for coming to notice is neglect, ill-treatment or failure to exercise parental duties.

(13. continued)

TICK ONE BOX IN EACH ROW

	FACTOR NOT CONSIDERED	FACTOR CONSIDERED			
		No Influence	Slight Influence	Moderate Influence	Strong Influence
Home situation of child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Time available for carrying out supervision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriateness of alternative legislative options	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Desire to build caseload	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Extent to which you consider legal supervision will be beneficial to the child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriateness of community work for the case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please list any other factors which you consider when deciding whether to recommend legal supervision and indicate the extent of their influence.

	Slight Influence	Moderate Influence	Strong Influence
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Before making a recommendation for legal supervision, how often do you discuss it with each of the following? (If not applicable, tick N.A.)

N.A. ☐

TICK ONE BOX IN EACH ROW

	NEVER	SOMETIMES	USUALLY	ALWAYS
Child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senior social worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other social workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social Welfare volunteers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-statutory social service agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth aid officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Psychologist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify)				
_____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. Have there been cases you have dealt with where you consider the Court order for legal supervision was inappropriately made?

TICK ONE

Yes ☐  
 No ☐  
 Not applicable ☐

If yes, please describe how you have dealt with such cases.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

16. In your experience has the judge ever altered the length of the supervision period recommended?

TICK ONE

Yes ☐  
No ☐  
Not applicable ☐

If yes, please describe how you have dealt with such cases.

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17. Has a judge ever added conditions of supervision which you considered to be inappropriate, e.g. relating to place of residence, employment or association?

TICK ONE

Yes ☐  
No ☐  
Not applicable ☐

If yes, please describe how you have dealt with such cases.

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SECTION 3 - PLANNING

18. Do you generally plan the form that legal supervision will take?

TICK ONE

Yes ☐  
 No ☐  
 Not applicable ☐

If yes, when do you usually plan?

TICK ONE

Prior to making the recommendation ☐

Once the Court outcome is known ☐

Other (please specify) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

How often does your plan include the following factors?

	TICK <u>ONE</u> BOX IN <u>EACH</u> ROW			
	Never	Sometimes	Usually	Always
Frequency of contact with child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frequency of contact with parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities to be carried out <u>with</u> child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities to be carried out <u>by</u> child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities to be carried out <u>with</u> parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities to be carried out <u>by</u> parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goals to be achieved by the end of the period	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Step by step objectives for meeting these goals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please list other factors which you include in your plan.

	Sometimes	Usually	Always
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. With whom do you consult regarding the activities to be carried out during the supervision period? (If not applicable, tick N.A.)

N.A. ☐

TICK ONE BOX IN EACH ROW

	NEVER	SOMETIMES	USUALLY	ALWAYS
Child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senior social worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other social workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social Welfare volunteers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-statutory social service agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth aid officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Psychologist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)				
_____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

20. Do you set goals for the supervision period?

TICK ONE

- Yes ☐  
No ☐  
Not applicable ☐

If yes, please indicate the kinds of goals you set.

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21. Are the goals set jointly between you and your client (the child or young person or parent(s)/guardian(s))?

TICK ONE

- Never ☐  
Sometimes ☐  
Around half the time ☐  
Usually ☐  
Always ☐  
Not applicable ☐

22. Do you attempt to measure whether the goals have been met?

TICK ONE

- |                      |                          |
|----------------------|--------------------------|
| Never                | <input type="checkbox"/> |
| Sometimes            | <input type="checkbox"/> |
| Around half the time | <input type="checkbox"/> |
| Usually              | <input type="checkbox"/> |
| Always               | <input type="checkbox"/> |
| Not applicable       | <input type="checkbox"/> |

If you do measure goal attainment, how often do you find that the goals are achieved?

TICK ONE

- |                      |                          |
|----------------------|--------------------------|
| Never                | <input type="checkbox"/> |
| Sometimes            | <input type="checkbox"/> |
| Around half the time | <input type="checkbox"/> |
| Usually              | <input type="checkbox"/> |
| Always               | <input type="checkbox"/> |

23. Do you attempt to measure the effectiveness of the supervision period by means other than assessment of goal attainment?

TICK ONE

- |                      |                          |
|----------------------|--------------------------|
| Never                | <input type="checkbox"/> |
| Sometimes            | <input type="checkbox"/> |
| Around half the time | <input type="checkbox"/> |
| Usually              | <input type="checkbox"/> |
| Always               | <input type="checkbox"/> |
| Not applicable       | <input type="checkbox"/> |

If you do attempt to measure effectiveness by means other than assessment of goal attainment, how do you do this?

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SECTION 4 - CASELOAD ACTIVITIES

24. If you currently carry a legal supervision caseload, please specify how many of your current legal supervision cases are in each of the categories below. (If not applicable, tick N.A.)

N.A. ☐

Please Specify Number

Care and protection

\_\_\_\_\_

Control cases (without community work conditions)

\_\_\_\_\_

Community work cases

\_\_\_\_\_

Please check that the total corresponds to that given for question 10, page 5.

25. If you do not currently carry a legal supervision caseload but have carried one in the last six months, please indicate which of the following your experience was predominantly with. (If not applicable, tick N.A.)

N.A. ☐

TICK ONE

Care and protection cases

☐

Control cases (without community work conditions)

☐

Community work cases

☐

A combination of the above

☐

26. How much of your total work time do you spend on activities related to your legal supervision caseload? (Include time spent travelling). (If not applicable, tick N.A.)

N.A. ☐

TICK ONE

- |                          |                          |
|--------------------------|--------------------------|
| None or virtually none   | <input type="checkbox"/> |
| About 10 percent         | <input type="checkbox"/> |
| About 20 percent         | <input type="checkbox"/> |
| About 30 percent         | <input type="checkbox"/> |
| About 40 percent         | <input type="checkbox"/> |
| About 50 percent         | <input type="checkbox"/> |
| About 60 percent or more | <input type="checkbox"/> |

On average, how many hours per week is this?

\_\_\_\_\_ hours

27. How much of your total work time do you spend supervising social workers with regard to their legal supervision caseload? (If not applicable, tick N.A.)

N.A. ☐

TICK ONE

- |                          |                          |
|--------------------------|--------------------------|
| None or virtually none   | <input type="checkbox"/> |
| About 10 percent         | <input type="checkbox"/> |
| About 20 percent         | <input type="checkbox"/> |
| About 30 percent         | <input type="checkbox"/> |
| About 40 percent         | <input type="checkbox"/> |
| About 50 percent         | <input type="checkbox"/> |
| About 60 percent or more | <input type="checkbox"/> |

On average, how many hours per week is this?

\_\_\_\_\_ hours

28. We would like to find out what activities social workers carry out with legal supervision cases. Please indicate how much time, out of the total you spend on legal supervision, is spent on each of the activities listed below. Please extend the list to cover all other activities involving work with legal supervision cases, and indicate time spent on each activity. (If not applicable, tick N.A.)

N.A. ☐

TICK ONE BOX IN EACH ROW

Proportion of supervision time

	None	A little	Some	A lot
Face to face contact with individual child or young person alone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Face to face contact with parent(s)/guardian(s) alone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Face to face contact with child/young person and parent(s)/guardian(s) together	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Group work with child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone contact with child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone contact with parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paper work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Travelling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities concerning employment of young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contacting local sports clubs, other clubs etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liaising with Social Welfare volunteers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities concerning community work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with psychologists, child health clinic etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)				
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

29. Rank the following from 1 to 6 in order of the extent to which your activities focus on each, with 1 indicating the most common focus. (If not applicable, tick N.A.)

N.A. ☐

WRITE RANK  
NUMBER IN BOX

Behaviour of child or young person

☐

Behaviour of parent(s)/guardian(s)

☐

Relationship between child/young person and parent(s)/guardian(s)

☐

Relations between whole family

☐

Relations between parents/guardians

☐

Relationship of child or young person with peers

☐

30. Please indicate the types of activities in which you arrange for children and young persons on your caseload to become involved, e.g. participation in sports clubs, community programmes. (If not applicable, tick N.A.).

N.A. ☐

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31. Do you consider there is an optimum time period within which the major benefits of legal supervision will be achieved?

TICK ONE

Yes

☐

No

☐

Don't know

☐

If yes, please specify the number of months.

\_\_\_\_\_ months.

32. The following question relates to where contact with children and young persons on your current caseload takes place. If you do not use a particular location, put 0. Rank the ones that you use in order, with 1 indicating the place of most frequent contact, 2 the next most frequent, etc. (If not applicable, tick N.A.)

N.A. ☐

WRITE RANK  
NUMBER IN BOX

The office

☐

The home

☐

The school

☐

The street

☐

A cafe

☐

Other (specify)

☐

\_\_\_\_\_

☐

\_\_\_\_\_

☐

\_\_\_\_\_

33. The following question relates to where contact with the parent(s)/guardian(s) of youngsters on your current caseload takes place. If you do not use a particular location, put 0. Rank the ones that you use in order, with 1 indicating the place of most frequent contact, 2 the next most frequent, etc. (If not applicable, tick N.A.)

N.A. ☐

WRITE RANK  
NUMBER IN BOX

The office

☐

The home

☐

Psychological service office

☐

Other (specify)

☐

\_\_\_\_\_

☐

\_\_\_\_\_

☐

\_\_\_\_\_

34. We would like to know the method of arranging contacts with the child or young person which results in the greatest number of contacts. If you do not use a particular method put 0. Rank the ones that you use in order, with 1 indicating the method resulting in the greatest number of contacts, 2 the next greatest number, etc. (If not applicable tick N.A.)

N.A. ☐

WRITE RANK  
NUMBER IN BOX

Child or young person required to report at regular  
intervals

☐

Child or young person left to initiate  
contact

☐

Social worker to visit home at regular  
intervals

☐

Non-scheduled visits by social worker

☐

Regular social worker/client meetings at  
other locations

☐

Non-scheduled social worker-initiated  
meetings at other places

☐

Other (please specify)

☐

\_\_\_\_\_

☐

\_\_\_\_\_

☐

\_\_\_\_\_

☐

\_\_\_\_\_

35. Are there any special schemes in your district, organised by social workers or the community, which cater mainly for legal supervision cases, e.g. holiday camps, adventure courses and special group meetings involving parents and the youngster?

TICK ONE

Yes ☐  
No ☐  
Don't know ☐

If yes please describe the scheme(s) in some detail indicating,

- (i) the number of youngsters involved;
- (ii) whether the scheme(s) operate(s) on a continuing basis or as a one-off venture; and
- (iii) whether you would recommend the setting up of such a scheme elsewhere.

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36. Are you aware of any special schemes which have been tried in the past but are no longer operating?

TICK ONE

Yes ☐  
No ☐

If yes briefly describe the scheme(s) and indicate why it/they no longer operate(s), e.g. lack of funds, lack of interest by children and young persons, prime initiator left, scheme did not achieve beneficial effects.

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37. If any supervision cases in your district are involved in other activities which might be of interest to other districts, e.g. group work, RYDUM, work with the aged, please describe below.

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SECTION 5 - CASELOAD VARIATIONS

38. Please indicate whether the average amount of time per case spent on the following activities is less, the same or more for care and protection cases than for control (misbehaviour/offending) cases. (If you do not have experience with both types of cases, please tick N.A.)

N.A. ☐

TICK ONE BOX IN EACH ROW

	<u>Less time spent</u> <u>on protection</u> than control	Same	<u>More time spent</u> <u>on protection</u> than control
Face to face contact with child or young person alone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Face to face contact with parent(s)/guardian(s) alone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Face to face contact with child or young person and parent(s)/guardian(s) together	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Group work with child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone contact with child or young person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone contact with parent(s)/guardian(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Travelling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paper work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liaising with Social Welfare volunteers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Referral/consultation with other professionals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify other ways in which the kind of activity carried out and the average amount of time spent on an activity is different for protection cases than for control cases.

_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you have experience with community work cases answer questions 39 to 42. Otherwise proceed to Question 43.

39. On average how much time per case do you spend on community work cases as compared with other legal supervision cases?

Time Per Case Spent on Community Work  
Compared with Other Legal Supervision Cases

TICK ONE

Much less ☐  
Less ☐  
About the same ☐  
More ☐  
Much more ☐

Note: "Much less" means  
much less time per case spent on  
community work cases compared with  
other legal supervision cases.

Unless you have answered "About the same" indicate why the time differs.

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40. Do you carry out casework with your community work cases?

TICK ONE

Never ☐  
Sometimes ☐  
Around half the time ☐  
Usually ☐  
Always ☐

Please give reasons why you do or do not.

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41. Has a young person on your caseload (past or present), ever deliberately failed to attend for community work?

TICK ONE

Yes ☐  
No ☐  
Don't know ☐

If yes, please indicate with how many cases this has happened.

\_\_\_\_\_ Please specify number

In how many of these cases have you taken the young person back to Court?

\_\_\_\_\_ Please specify number

42. If you have any views about the utility of complaint action in cases of deliberate non-attendance for community work, please comment below.

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43. As a general principle, do you think it is sensible for community work conditions to be attached to a legal supervision order?

TICK ONE

Yes ☐  
No ☐  
Don't know ☐

Comment if you wish.

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44. What purpose(s) do you regard community work as serving?

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45. In your experience how useful have you found the following conditions of supervision outlined in the Act, both those which apply to all supervision orders and those which can be imposed by the Court? (If not applicable tick N.A.)

N.A. ☐

TICK ONE BOX IN EACH ROW

	Not at all Useful	Slightly Useful	Moderately Useful	Very Useful	Insufficient experience to judge
Social worker right to visit at all reasonable times	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child or young person to report as and when required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-residence at address not approved by social worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not to continue in employment not approved by social worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conditions relating to place of residence, employment, as Court thinks fit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conditions relating to earnings, as Court thinks fit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Payment of costs/damages/compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not to own or drive a motor vehicle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-association with any specified person, or persons of any specified class	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undergo medical, psychological, or psychiatric examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attendance at centres conducting educational, recreational, cultural programmes etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undertake community work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undertake remedial education, training etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

46. When you know that any of the above conditions (other than community work) attached to a supervision order are not being kept, do you bring the parent(s)/guardian(s) or young person back to Court on a complaint? (If not applicable, tick N.A.)

N.A.

☐

TICK ONE

Never

☐

Sometimes

☐

Around half the time

☐

Usually

☐

Always

☐

Occasion has not arisen

☐

If you have known that such conditions were not being met and have not brought complaint action, please indicate why.

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SECTION 6 - OVERVIEW

47. What purpose(s) do you regard legal supervision as serving?

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48. Do you have problems with any aspect of legal supervision?

TICK ONE

Yes ☐

No ☐

If yes, please outline the problem(s) below.

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49. Please give any suggestions you have for improving legal supervision. Include suggestions on legislative provisions, recommendations, judicial influence, conditions, activities, or any other features which you feel could be improved.

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50. How useful is it to have legal supervision as one of the available options for a Court outcome?

TICK ONE

- |                   |                          |
|-------------------|--------------------------|
| Not at all useful | <input type="checkbox"/> |
| Slightly useful   | <input type="checkbox"/> |
| Moderately useful | <input type="checkbox"/> |
| Very useful       | <input type="checkbox"/> |
| No opinion        | <input type="checkbox"/> |

Please comment if you consider the usefulness of legal supervision (as a Court outcome) differs for care and protection cases as opposed to control (misbehaviour/offending) cases.

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51. How useful is legal supervision as a social work tool?

TICK ONE

- |                   |                          |
|-------------------|--------------------------|
| Not at all useful | <input type="checkbox"/> |
| Slightly useful   | <input type="checkbox"/> |
| Moderately useful | <input type="checkbox"/> |
| Very useful       | <input type="checkbox"/> |
| No opinion        | <input type="checkbox"/> |

Please comment if you consider the usefulness of legal supervision (as a social work tool) differs for care and protection cases as opposed to control (misbehaviour/offending) cases.

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52. Do you think the legislative provisions for legal supervision should be:

TICK ONE

Retained in present form

☐

Retained in modified form

☐

Removed from the Act

☐

No opinion

☐

Comment if you wish.

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If you have any additional comments on anything at all connected with legal supervision, please write them on the space below.

Thank you for your co-operation and assistance. Please enclose the questionnaire in the envelope provided and return it to:

Legal Supervision Project,  
Evaluation Unit,  
Department of Social Welfare,  
Head Office,  
Private Bag 21,  
WELLINGTON 1.



CONDITIONS OF LEGAL SUPERVISIONPART IV  
SUPERVISION ORDERS

46. Conditions of supervision order—(1) Where any young person is placed under the supervision of a Social Worker, the following conditions shall apply:

- (a) Any Social Worker may, at all reasonable times, visit and enter the building or place in which the young person is living;
  - (b) The young person shall report to the Social Worker under whose supervision he is, as and when he is required to do so by the Social Worker;
  - (c) He shall not reside at an address that is not approved by the Social Worker;
  - (d) He shall not continue in any employment or continue to engage in any occupation, that is not approved by the Social Worker;
  - (e) The young person shall ensure that the officer in charge of the local office of the Department knows at all times of the address at which the young person is residing for the time being;
  - (f) He shall not associate with any specified person, or with persons of any specified class, with whom the Social Worker has, in writing, warned him not to associate.
- (2) Where any child is placed under the supervision of a Social Worker, the following conditions shall apply:
- (a) Any Social Worker may, at all reasonable times, visit and enter the building or place in which the child is living;
  - (b) The child shall report to the Social Worker under whose supervision he is, as and when he is required to do so by the Social Worker;
  - (c) He shall not reside at an address that is not approved by the Social Worker;
  - (d) The parents or guardian or person having the care of the child shall ensure that the officer in charge of the local office of the Department knows at all times of the address at which the child is residing for the time being.

## 47. Power of Court to impose additional conditions—

(1) The Court in placing a young person under the supervision of a Social Worker may in its discretion impose any or all of the following conditions, namely:

- (a) That he shall, within such period and by such instalments as may from time to time be directed by the Social Worker, pay the whole or such portion as the Court may direct of the costs of the prosecution in relation to the offence or offences for which he is placed under supervision;

- (b) That he shall, within such period and by such instalments as may from time to time be directed by the Social Worker, pay, by way of damages for injury or compensation for loss suffered by any person through or by means of any such offence as aforesaid, such sums as the Court may direct or as may be fixed by the Social Worker, under direction of the Court, not exceeding in any case a sum specified by the Court;

- (c) That he shall not own or drive a motor cycle or any other kind of motor vehicle;

- (d) That he shall not associate with any specified person or with persons of any specified class;

- (e) That he shall undergo any specified medical, psychological, or psychiatric examination;

- (f) Such conditions relating to his place of residence, employment, or earnings as the Court thinks fit;

- (g) That he attend and remain at, for such weekday, evening, and weekend hours each week and for such number of months as the Court thinks fit, any specified centre which is approved by the Department and which conducts educational, recreational, instructional, cultural, or work programmes, or sporting activity, and reasonably and effectively take part in such activity as may be required by the person in charge of the centre;

- (h) That he reasonably and effectively undertake work in the interests of the community for such period as the Court thinks fit under the supervision of an organisation approved by the Director-General, either generally or in the particular case;

- (i) Such other conditions as the Court thinks necessary for ensuring his good conduct or for preventing the commission by him of any offence.

(2) The Court in placing a child or young person under the supervision of a Social Worker may in its discretion impose, in addition to any other conditions that may be imposed, a condition that the child or young person undertake such remedial education, such training, or such community activities as are considered by the Court to be in the interests of that child or young person.

“(3) The Court in placing a child under the supervision of a Social Worker may, in its discretion, impose, in addition to any other conditions that may be imposed, any of the conditions referred to in paragraphs (d) to (i) of subsection (1) of this section.”

SUMMARY OF SPECIAL SCHEMES OPERATING IN DISTRICTS

Global descriptions of special schemes organised in each district have been prepared on the basis of the information provided by those responding to this question. These descriptions are presented below in geographical order, working from North to South.

Whangarei

Two major special schemes are utilised by social workers within the Whangarei district to cater for legal supervision cases. The first is a weekly evening Youth Club run by social workers on a continuing basis at a local Community House. It involves up to 60 youngsters, some of whom are not supervision cases. Set up originally as a reporting centre, the evening now also involves the families of the children and young persons on legal supervision in counselling-type situations, as well as providing simple games and social activities in order to demonstrate enjoyable means of recreation and social interaction at home. The group is recommended as extremely effective. In particular, it was mentioned that the involvement of parents was beneficial both in making parents more aware of their children's needs, and creative ways of relating to them and as a way of providing an opportunity for inadequate parents to receive support, encouragement, and guidance.

The second scheme is an Outdoor Education Programme organised by the district's social workers. This involves weekly camps throughout the year catering for between 10 and 20 youngsters. These allow the staff to establish sound relationships with the young people, providing a useful basis for follow-up activity. The camps are reported to be highly successful. In addition, children and young persons on legal supervision are frequently directed to camps organised by church groups in the local community.

Kaitaia

For the past 6 years adventure camps have been organised in Kaitaia as frequently as time has allowed. They have involved between eight and eighteen youngsters, and sometimes include the participation of personnel from the N.Z. Army. Such special projects are recommended by the Kaitaia social workers for use elsewhere.

Kaikohe

Kaikohe departmental social workers utilise the Whangarei Office's Outdoor Education Camps on a regular basis in order to assist supplementary follow-up activity.

Auckland

Weekend camps are organised on a continuing basis and the involvement of the whole family is encouraged. Approximately 30 children are involved in each camp, about 10 or 12 of these being legal supervision cases. Monthly reports on participants suggest that the scheme is successful.

### Henderson

Youth Guidance Groups, organised by Youth for Christ, are available in Henderson on a regular basis. Volunteers are also used to discuss problems with teenagers on legal supervision. A new innovation which appears to have positive results involves camps organised by a local community constable.

### New Lynn

A variety of special schemes were recommended by New Lynn social workers as being useful. These include regular voluntary programmes organised by Youth Guidance (Youth for Christ) involving 20 to 30 legal supervision cases and regular guidance clubs involving 30 to 50 cases. Adventure camps for 10 to 15 youths and holiday camps for 30 to 50 young people have also been organised as well as marae visits and Maori committee meetings on a more occasional basis.

### Otahuhu

Kokiri and Work Skills programmes are organised in Otahuhu on a permanent weekly basis and currently involve 65 young people. Camps are organised at least once a year and involve approximately 20 youngsters. These activities were recommended for utilisation in other districts.

### Mangere

Annual Christmas holiday camps are organised in Mangere for as many youth as are able to attend. Camps are also occasionally organised throughout any given year. These were reported to be extremely worthwhile. In addition, workskills programmes and pre-work training courses are offered. At present four of the latter courses, each comprising 20 people, are organised on a continuing basis.

### Takapuna

In Takapuna there appears to be considerable support from local groups such as the Y.M.C.A., which organises camps and day-time activities on a continuing basis, with a variety of numbers attending. The results have been positive.

### Otara

The social workers in Otara district office have found occasional holiday camps and weekend trips to be effective.

### Hamilton

A special employment scheme involving 90-100 adolescents in Hamilton on a continuing basis has appeared worthwhile. The Y.M.C.A. organises Rydum for thirty 11-13 year olds, and assists in special camps lasting one week for sixty children on legal supervision. Both of the YMCA schemes are reported to be excellent ventures, although hampered by a lack of

financial support. In addition, service clubs occasionally sponsor camps which are normally open to all age groups, and Youth Guidance provides a weekly club programme for boys between 12 and 15 years of age. These schemes are reported as being well worth support. Technical Institute courses have also been utilised for unemployed young persons on supervision, in order to help lift their morale. These involve approximately 15 people who take part in basic skills training on a daily basis.

#### New Plymouth

New Plymouth social workers do not organise any special schemes. However children and young people on supervision are encouraged to attend camps in the area which are sponsored by outside organisations such as Rotary and Lions. In addition, placements are made in the Alternative Education Unit and the St Joseph's Voluntary Work Project.

#### Rotorua

Several referrals have been made to a Y.M.C.A. work scheme for unemployed young people which is sponsored by the Labour Department. An Adolescent Therapy Group, run primarily for teenagers referred by secondary school guidance counsellors, is also accessible to emotionally disturbed clients of the Department. Departmental social workers have also recommended children to similar groups run by educational psychologists at the local Intermediate School.

#### Taumarunui

Several schemes have been arranged by various social workers. A three day skiing trip at the Chateau Tongariro has been organised annually for a combined group of state wards and children on legal supervision, the latter group normally comprising fifteen of the twenty young people participating. Annual indoor basketball matches with those young people under legal supervision in neighbouring districts have involved about 16 youngsters on a continuing basis. Christmas picnics and softball games are organised at least annually and include approximately 20 people. The results of all these schemes appear to be positive and the youngsters involved are reported to have thoroughly enjoyed them.

#### Napier

A Homework Centre has operated in Napier on an occasional basis while holiday farm placements, and camps run by organisations such as the Y.M.C.A. are regularly used for the benefit of youngsters on legal supervision.

#### Whakatane

Up to 20 youngsters, some of whom are on legal supervision, attend sporting activities twice weekly at the local Recreation Centre. This scheme is run on a continuing basis by a community worker; and appears to have excellent results.

### Tauranga

Social workers involve as many legal supervision cases as possible in such schemes as holiday camps, monthly day groups, Y.M.C.A. clubs, or Birth Right day treks. These are normally available on a continuing basis, involving approximately 10 people. They are reported to have had some success.

### Hastings

A community worker in Waipukurau often organises tramps, and other sporting activities for 6-10 children of both sexes on an irregular but continuing basis. At present a scheme is being prepared subject to venue availability for young persons and their parents. It will be run by voluntary social workers and include activities such as games, discussions, and guest speakers, for example Judges or Youth Aid Officers. Lions, Y.M.C.A., and Maori Affairs are instrumental in providing camps which the youngsters on legal supervision can attend. These are held throughout the year and are sometimes explicitly educational in nature, for example August camps provided for School Certificate entrants studying for examinations. Lastly, the Te Whanau Youth Club from the township of Flaxmere has catered for many of the district's supervision youth and their parents not only with regular meetings involving discussions, but also with periodic trips to other marae. Approximately 10 youngsters and their families have normally been participants.

### Wanganui

A Y.M.C.A. Outdoor Education Programme caters for "at risk" young persons not attending school. Eight youths have usually been involved in these courses which are organised on a regular basis. They have been recommended as a worthwhile experience in developing confidence. The outdoor activities programme is often followed by a Work Experience Course, as well as subsequent assistance in locating permanent employment. The schemes have been funded through the Department of Internal Affairs in the past, but this is unlikely to continue.

### Masterton

Annual and occasional twice-yearly confidence camps are organised for a weekend at the local Y.M.C.A. camp site. Twelve young persons participate in learning confidence skills.

### Palmerston North

The social workers in Palmerston North operate a youth recreation programme with an emphasis on indoor basketball and swimming. It includes anywhere between 3 and 40 youngsters, some of whom are not supervision cases since friends and others are also invited. The social workers seem to have positive attitudes concerning this scheme as it provides opportunities to talk to and improve relationships with the youths, and is a means of supervising them on a non-threatening basis. The social workers suggest this encourages a better image of themselves with the youngsters. Social workers have also organised the occasional camping venture which they recommend for more extensive use.



### Wellington

Occasional Wellington Regional Adventure Camps are organised on an on-going basis to cater for state wards and young people under legal supervision. Boys Brigade and Y.M.C.A. camps are also utilised. The regional adventure camps appear to be particularly successful and helpful.

### Lower Hutt

A weekly social skills group involving both state wards and supervisees meets for approximately 6 weeks at a time on a one-off basis when required. It normally involves approximately 6-8 young people, whose attendance is usually reasonably regular, two social workers and a psychologist. It is recommended as feasible if time is available.

### Upper Hutt

Regular liaison occurs between social workers in the Lower Hutt office and the Maoribank Whanau. Te Whanau operates on a continuing basis organising camps over most holiday periods, as well as weekend activities such as softball games. The youngsters involved also participate in fund-raising for the activities. Only one supervision child is involved at present, although numbers fluctuate and may reach higher levels at other times.

### Blenheim

Three day holiday camps at Rotoiti are being organised by the Department once or twice a year for around 18 legal supervision cases and other young people. Day activities, including tramps, are also arranged as part of an Outdoor Education Holiday Programme. The reaction to these ventures has been favourable although it was stressed that they are obviously dependent upon office personnel resources. An encouraging development has been the support of an instructor from Woodbourne Air Base who will be provided for participation in some of these programmes.

### Nelson

Approximately ten youngsters on legal supervision regularly attend the Y.M.C.A. Unemployed Centre which has been operating for about four months. The centre's main function is as a meeting place. However, some low-key counselling is provided by a trained social worker employed as a P.E.P. worker.

### Christchurch

A Community Activities Centre provides after school activities, a meeting place, and holiday programmes all year round. The Y.M.C.A., who run camps catering for supervision cases is also utilised, as are Rydum, the Polytechnic, and Outward Bound. Social workers often operate discussion groups for legal supervision youth enabling all aspects of life to be explored. P.E.T. courses, referral to employment liaison social workers, and St John's Ambulance courses provide further options. The latter

courses are often aimed specifically at the young driving offender, the object being to experience and understand the consequences of dangerous driving by participating in such activities as late night ambulance shifts. All these activities were recommended as suitable for trial elsewhere.

#### Timaru

Youth Camps at Lake Ohau have been successfully utilised by social workers in Timaru as an experiment in extra activities for legal supervision cases.

#### Dunedin

Three social workers in Dunedin attend a weekly group involving approximately 12 legal supervision cases. The main focus is upon communication skills, and there is discussion of topics such as flatting, alcoholism, and drug abuse. Guest speakers are invited on occasions. Te Hou Ora Club, organised by Youth for Christ, caters for a total of 300 boys and 150 girls. It operates on a continuing basis offering weekly sessions, regular cultural and sporting activities, and Tautuku holiday camps for whole families. Youngsters aged between 12 and 17 years take part in these programmes, which appear to have beneficial results.

#### Invercargill

Weekly group programmes are operated in Invercargill. In addition, the Y.M.C.A. organise camps during school holidays, where participation by the child's family is encouraged both for the child's sake, and to provide contact with the parents. These camps include but are not restricted to, supervision cases.

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