

BOARD / RAAD

NO. 912

01 SEPTEMBER 2017

SOCIAL SERVICE PROFESSIONS ACT, 1978
(ACT NO. 110 OF 1978)

**REGULATIONS RELATING TO THE REGISTRATION OF A
SPECIALISATION IN FORENSIC SOCIAL WORK**

I, Bathabile Olive Dlamini, Minister of Social Development, has in terms of sections 17C (2) (a) (ii); 28(1) (ii) and 28(1) (gA) of the Social Service Professions Act, 1978, made the Regulations as set out in the Schedule.



Ms BO DLAMINI, MP

MINISTER OF SOCIAL DEVELOPMENT

DATE: 03.07.17.

SCHEDULE

Definitions

1. In these Regulations, unless the context indicates otherwise, a word or expression that is defined in the Act has the same meaning in these Regulations, and in addition—

"Act" means the Social Service Professions Act, 1978 (Act No.110 of 1978);

"expert testimony" means a written report or oral evidence provided by a witness with specialised knowledge, training, skills and expertise;

"forensic social work assessment" means an investigation of a specific matter by application of scientific assessment methods or processes designed to answer a question or a set of questions to establish the facts of the matter within the court of law;

"forensic social work" is a specialised field of social work that focuses on the interface between the legal system and the secondary client (the individual, family, organisation or institution being assessed) and is characterised by the primary function of providing expert testimonies in courts of law;

"forensic social worker" means a social worker with scientific and specialised knowledge, skills, training and education and experience in forensic social work, who provides the court with written or oral impartial and factual expert testimony;

"forensic social work investigation" means conducting a process of forensic assessments using forensic social work knowledge, techniques and tools in order to compile a forensic social work report with accurate information to establish facts or evidence that can be used in courts of law;

"forensic social work report" means written evidence based literature on the facts, assessment, findings and recommendations;

"forensic social work techniques" means the application of evidence based social work assessment methods and tools used to analyse and interpret information;

"primary client" means a court of law or a body that commissions a forensic social work investigation;

"SACCSP" means the South African Council for Social Service Professions established by Section 2 of the Social Service Professions Act, 1978 (Act No.110 of 1978);

"secondary client" means the individual/ family /organisation / institution being assessed; and

"social work" means a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people with the principles of social justice, human rights, collective responsibility and respect for diversities being central to social work and underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing.

Forensic social work scope of practice

2.(1) Forensic social work practice includes –

- (a) conducting forensic social work investigations of all cases that require forensic assessment using scientifically validated protocols and techniques in relation to forensic social work;
- (b) applying relevant legislation;
- (c) applying forensic social work techniques to interpret data used in the compilation of the forensic social work report;

- (d) compiling and submitting evidence based forensic social work reports to primary clients;
- (e) providing expert testimony on relevant matters in a court of law; and
- (f) engaging in research and developing the field of forensic social work.

(2) Forensic social work scope of practice excludes –

- (a) generic social work assessments;
- (b) clinical assessments;
- (c) therapeutic interventions;
- (d) pre-sentencing reports in terms of the Probation Services Act, 1991(Act No. 116 of 1991);
- (e) research victim impact report;
- (f) child protection assessment and related investigation in terms of the Children's Act, 2005 (Act No. 38 of 2005); and
- (g) community and group work.

Requirements for registration of specialisation in forensic social work

3. (1) The SACSSP shall on application, register a specialisation in forensic social work where a social worker has a recognised qualification in social work and is registered as a social worker with the SACSSP and has any one or more of the following-

- (a) has an appropriate Master's degree approved by the SACSSP in forensic social work, plus at least two years appropriate and evidence based practical experience within the scope of forensic social work services; or
- (b) has five years appropriate and evidence based practical experience within the scope of forensic social work services; and
- (c) demonstrates expertise in forensic social work by meeting the forensic social work assessment criteria of the SACSSP for the purpose of determining whether the social worker concerned is competent to practise forensic social work.

(2) A social worker who has complied with the requirements referred to in 3 (1) (b) and (c) will need to register for the specialisation in forensic social work within a period of four years of this regulations being published in the Government Gazette. Failure to register within the prescribed period will require the applicant to comply with 3(1) (b) above.

(3) The Registrar must keep a separate register for forensic social workers in line with section 19 read with section 28(1)(gA) of the Act.

Conditions for practising as a forensic social worker

- 4. (1)** A social worker who has complied with the requirements

referred to in regulation 3 may register as a forensic social worker with the SACSSP.

(2) The forensic social worker must pay the prescribed registration and annual fees relating to the specialisation.

(3) A social worker who has registered as a forensic social worker is not excluded from practising social work within a generic context.

Application for registering a speciality in forensic social work

5. (1) Application for the registration of a specialisation in forensic social work shall be made on a form obtainable from the SACSSP.

(2) Such application form shall be accompanied by —

- (a) proof of registration as a social worker with the SACSSP;
- (b) a certified copy of documentary proof of the experience referred to in regulation 3(1);
- (c) certified copies of documentary proof of qualifications obtained referred to in regulation 3(1); and
- (d) the registration and annual fee referred to in regulation 4(2).

General provisions

6. (1) A social worker who has registered for specialisation in forensic social work may affix the designation "specialist in forensic social work" after his or her name.

(2) A person may not call himself or herself a forensic social worker without having registered as a specialist in forensic social work with the SACSSP.

(3) A social worker who has registered for specialisation in forensic social work shall display conspicuously in his or her office the registration certificate issued to him or her in terms of the Act.

(4) A social worker who has registered as a specialist should adhere to the Continuing Professional Development policy of the SACSSP and should ensure that the Continuing Professional Development activities that they attend include specific development related to the specialisation in forensic social work that is being practised.

Short title and commencement

7. These Regulations are called the Regulations Relating to the Registration of Specialisation in Forensic Social Work, 2017, and comes into operation on the date of publication in the Government Gazette.