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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. R. 1274

14 OCTOBER 2016

**CALL FOR COMMENTS ON REGULATIONS RELATING TO THE
REGISTRATION OF A SPECIALITY IN FORENSIC SOCIAL WORK**

I, Bathabile Olive Dlamini, Minister of Social Development, intend to make the Regulations in terms of section 17C(2)(a)(ii) and 28(1) (ii) of the Social Service Professions Act, 1978 (Act No. 110 of 1978), as set out in the schedule. Interested persons or organizations are hereby invited to submit written comments on the draft regulations within 30 calendar days from the date of publication. Comments must be forwarded for the attention of Ms Galeboe Rapoo, by:

Post to:

The South African Council for Social Service Professions
Private Bag X12
Gezina
0031;

(b) Hand to:

The South African Council for Social Service Professions
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Riviera
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(c) Fax to:

+27 (0)12 356 8400; and

(d) By email to:

actingregistrar@sacssp.co.za

Ms BO DLAMINI, MP

MINISTER OF SOCIAL DEVELOPMENT

DATE:

SCHEDULE**REGULATIONS RELATING TO THE REGISTRATION OF A SPECIALITY IN
FORENSIC SOCIAL WORK****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);

"forensic 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;

"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 forensic social work techniques based literature on 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; and

"social work" for purposes of these regulations, means a practise based profession and an academic discipline that promotes social change and development, social cohesion and the empowerment and liberation of people underpinned by theories of social work, social sciences, humanities and indigenous knowledge.

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 forensic social work technique based forensic social work reports to primary clients;
- (e) providing expert advice on relevant matters; 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) child protection assessment and related investigation in terms of the Children's Act, 2005 (Act No. 38 of 2005); and
- (f) community and group work.

Requirements for registration of a speciality in forensic social work

3. (1) The Council shall on application register a speciality in forensic social work where a social worker has—

- (a) a recognised qualification in social work and is registered as a social worker with the Council;
- (b) an appropriate Master's degree approved by the Council in forensic social work, plus at least two years appropriate and evidence based practical experience within the scope of forensic social work services;
- (c) an appropriate accredited post graduate diploma or accredited certificate in forensic social work approved by the Council, plus three years appropriate and evidence based practical experience within the scope of forensic social work services; or
- (d) five years appropriate and evidence based practical experience within the scope of forensic social work services; and

(e) demonstrates expertise in forensic social work by meeting the assessment criteria of the Council for the purpose of determining whether the social worker concerned is competent to practise forensic social work.

(2) The Registrar may 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 2 may register as a forensic social worker with the Council.

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

(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 speciality in forensic social work shall be made on a form similar to the form attached as Annexure A.

(2) Such application form shall be accompanied by —

- (a) proof of registration as a social worker with the Council;
- (b) a certified copy of documentary proof of the experience referred to in regulation 3;
- (c) certified copies of documentary proof of qualifications obtained referred to in regulation 3; and

(d) the registration and annual fee referred to in regulation 4.

General provisions

6. (1) A social worker who has registered a speciality 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 Council.

(3) A social worker who has registered as a speciality 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 a speciality in forensic social work must comply with the continuous professional development requirements by continuously attending forensic social work related training.

Short title and commencement

7. These Regulations are called the Registration of a Speciality in Forensic Social Work, 2016, and shall come into operation on the date of the publication thereof.

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