

SOCIAL WORK PRACTICE IN COURT...

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Social Work Practice in Court Settings: The Case of Jimma Zone High Court and
Jimma Town Woreda Court

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A Research Thesis Submitted to Jimma University School of Social Work in Partial fulfillment of the requirement of Masters of Social Work

Jimma University

College of Social Sciences and Humanities

School of Social work

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Declaration

This is to declare that the thesis prepared by Mohammedkebir Hassen, under the guidance and supervision of my principal advisor Mr. Asayebrehan Kastro (MSW) and Co-Advisor: Co-advisor: Ruhama Gudeta (MSW). Entitled Social Work Practice in Court Setting: The Case of Jimma town woreda Court and Jimma Zone High Court, submitted in partial fulfillment of the requirements for the Degree of Master of Arts (Social Work) fulfils with the regulation of the University and meets the accepted ethics with respect to originality.

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Acronyms

UN: United Nations

CR: Child Right Convention

ACRWC: African Charter on the Rights and Welfare of the Child

FDRE: Federal Democratic Republic Of Ethiopia

UK: United Kingdom

UNCRC: United Nations Convention on the right of the child

UNICEF: United Nations Children Fund

MOWCYA: Ministry of Women, Children and Youth Affairs

NASW: National Association of Social workers

CCTV: Closed Circuit Television

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Abstract

Social workers can serve as forensic social workers, psychotherapist, mediators, case managers and facilitators in the court setting. The main objective of this study was to explore social work practice in the court setting the case of Jimma town woreda court and Jimma zone High court. This study was a cross sectional, descriptive and case study qualitative research. Purposive sampling was used to select participant of the study, in-depth interview, key informant interview and observations were employed in order to collect data In addition, secondary sources of data were exhaustively reviewed. Thematic analysis strategy was used in order to analyze the data. The finding of the study reveals that there is serious gap on the application of social work skills and knowledge in the court settings. There are no regular trainings provided for social workers. The finding of the study further shows that limited staffs, lack of awareness about the service and contribution of social workers are challenges for social work practice in the court settings. The services provided in the court settings are mainly limited to children. There is limited collaboration with other government offices and even within a court. Interdisciplinary collaboration between social workers and other professionals in court setting is very limited. I suggest that application of skill and knowledge of social work has to be fully operationalized in both courts and to deliver this service professional social workers has to be employed in both court. In addition, continuous training has to be provided for the social workers in order to equip them with the necessary knowledge and skills that help them deliver appropriate and effective services. Further, Awareness creation training about the contribution of social work practice in the court has to be given for lawyers and judges by school of social work and other concerned parties.

Chapter One: Introduction

1.1 Background of the Study

Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principle of social justice, human rights, collective responsibility and respect for diversities are central for social work, International Federation of Social Work (IFSW, 2014). One of the institutions in skill and knowledge of social work are implemented are courts. Courts are established to ensure justice, liberty, social order, resolution of disputes, rule of law, and equal protection to all people regardless of background and to ensure the due process of law (Delmar & Brian, 2019).

In order to deliver the aforementioned functions, courts have to be supported by different professionals. Social workers can offer various valuable services to the courts. First, social work knowledge of the human condition and the duties and values of social workers are transparently connected within each of the epistemologies that social work has developed and implemented in clinical relationships (Brandell, 1991; Tume4 1996). Second, the obligation to understand the effect of power and oppression by institutions links with the responsibility of social work advocacy to engage policy; solutions that are connected by practice and research knowledge (Bogenschneider & Corbett, 2010; Gould, 2010; Hoefler & Jordan, 2008). If either of these bridges is missing, complex and: evolving social problems (Prescott (2013).

The practice of social work in the court setting started in United Kingdom at youth justice following the kilbrandon report of 1964 criticized the system of using courts to deal with vulnerable children who were in need of care and protection due either to their own behavior or the act of their careers that were impacting adversely on their lives. In United States of America, the roles of social workers in the legal system are comprehensive. The court social workers Partici-

pate in all family court hearings and family team conferences. They also, provide written court reports and collaborate with family Service unit for all family court hearings. In addition, they provide advocacy and coaching to clients (off-site) to address any barriers to accessing any services needed by family members. Moreover, they collaborate with American court service and other service providers to address barriers, service coordination (Jones 2006).

In Africa, the practice of modern social work started in Egypt and South Africa. During Colonial era. At that time, the practice was limited to remedial social welfare services. After the end of Colonialism, however, the practice was changed. In the Court of Egypt, social workers assisted lawyers in different cases. The family & child court of Egypt required the involvement of social workers and sociologists to ensure a high level of judicial expertise with the intention of providing efficient legal representation and effective legal assistance to juvenile offenders (The Law Library of Congress, 2017). Similarly, in South Africa, social workers play vital roles at regional and district high courts as forensic social workers. Social workers assist court personnel in court cases by testifying as professional experts and submitting social work forensic reports (Joubert, 2014).

The practice of social work in the court setting in Ethiopia started in 2009. UNICEF and the federal Supreme Court initiated established a child friendly court by involving advisory body consisting of more than 24 social workers to assist benches handling cases of children (Marishet, 2013). The roles and practice of social work in the court setting is under researches little is known about the application of social work skill and knowledge in the court, target groups of the service beneficiaries of social work practice in the court, support system and challenges of the practice in the court setting. Therefore, this study is aimed at filling these existing gap by explor-

ing the roles and practice of social workers in court setting in Jimma town “woreda” court and Jimma Zone High court Court.

1.2 Statement of the Problem

Since the profession of social work is new in Ethiopia, the practice of social work in the court setting has not been developed well. There are limited number of existing literature on the topic. Marishet (2013) explored the role of social workers in the court setting in case of sexually abused children in Addis Ababa. The finding stated that: court social workers are graduates of psychology and sociology because there are few graduates of social workers at the time. The contributions of these professionals involved comforting the witness for testimony, relieving from confrontation and questioning the child considering the child’s maturity level, communication skill and language ability.

Mubarak (2013), in his study entitled ‘Exploring the Roles of Social Workers in Child Justice Administration in Different Federal First Instance Court Benches, showed challenges, opportunities, and achievements of social work practice in the child justice administration. Similarly, Seble (2016), explored the Roles of social workers in the court setting. Her major finding revealed that practitioners did not use referral system. Various gaps and barriers were observed. The role and contribution of social work unit did not get the acknowledgment and attention it deserved.

Sitiyana (2017), also explored social work practice on juvenile justice administration in line with domestic as well as international law. She found that the roles of social workers are limited to the institution they work in and they failed to apply case management system and improve the service provision for the children in conflict with the law. There is no role of social workers in cases of children between the age of 15 to-18 and this calls for the social work interventions.

The above mentioned studies were conducted in Addis Ababa. There is no study conducted on the roles of social workers in Jimma town woreda court and Jimma zone high court. Besides, all of the previous studies did not address over-all practice of social work in the court setting especially in terms of the application of social work skills and knowledge in the court. Some of these include: support of social work in case of mediation, counseling, forensic social work report and practice of social workers interventions in case of family conflict cases were not explored. In addition, the previous studies focused only on children. Moreover, the court structure where the studies were conducted were different from this study's setting. Therefore, this study aims to address the knowledge gaps identified in previous studies and provide up-to-date information pertinent to Jimma town woreda court and Jimma Zone high court.

The major research questions of this study include:

1. What are the roles of Social workers in the court settings of Jimma town woreda court and Jimma Zone High court?
2. What skills and knowledge's do social workers possess and apply in the court setting?
3. Who are the beneficiaries of social work services in court setting?
4. What are the challenges and prospects of social work practice in court setting?

1.3. Objectives of the Study

1.3.1 The General Objectives

The general objective of the study is to explore Social Work Practice in Court Setting in the Case of Jimma Town Woreda Court and Jimma Zone High Court.

1.3.2. Specific Objectives

1. To ascertain the roles and practice of Social workers in court setting
2. To identify service beneficiaries of social work service in court setting.
3. To explore social workers' application of skills and knowledge in court setting
4. To explore the challenges and prospects of social work practice in court setting

1.5. Significance of the Study

The major rationale for conducting this study was to show the contributions of social work profession in the court system and for other concerned parties, to identify expected roles of social workers in the court, and to identify the challenges in practice settings. In addition, it aims to understand the collaboration between social work professionals with legal professionals. Such understanding of knowledge is essential to provide recommendations about the strategies of improving the existing services in the court, to integrate new practices, to influence policy makers, to add new knowledge for educators, to increase awareness of community about the profession, and to recommend other researchers to conduct further studies on the topic

As to my knowledge, the profession of social work by itself is a and new field the practice of social work in the court setting is a new phenomenon in Jimma town “woreda” court, and in Jimma Zone high court. In addition, studies conducted on the area are few and insufficient. Therefore, the practice requires more research and need awareness creation as it is essential for enhancing social justice and provides additional knowledge for the court., this study was essential to identify specific roles of social workers in cases of mediation, counseling, forensic social work report, advocacy, and attitude of stakeholders towards support of the profession in the court setting.

1.6. Scope of the study

The scope of the study is limited to the human resource and support system of social work in the court setting, social workers’ application of skills and knowledge, challenges and prospects of social work practice in the case of Jimma town woreda court and Jimma Zone High court. The study is restricted only to the Jimma town “woreda” court and Jimma Zone high court due to the researchers’ capacity to collect a data has been to this extent. The Jimma town woreda court is first instance court, which is located in old administration name Higher 1, kebele 07, and

now called Becho Bore kebele administration. The Jimma Zone High court is located in Awetu Mendera kebele administration. The court have an authority to deal with material cases estimated more than 3 million Birr, serious criminal cases, and cases which are beyond the capacities of all woreda courts of Jimma zone.

1.7. Limitation of the Study

This study utilized qualitative research approach particularly case study. Therefore, findings of the study cannot be generalized. In addition, the data collected do not reflect the perspectives of other attorney legal professionals working with defendant.

1.8. Challenges faced in the Study Process

The pandemic Covid-19 was one of the challenges faced during the study. It created time constraint to start and finish the data collection based on the proposal. Since courts were closed, conducting in-depth interviewee was tough. I overcame the challenges by using a face mask, and creating smooth communication with respondents to schedule convenient time for the interviews.

Another challenge of the study was the lawyers are too busy to avail themselves for interviewees. In addition, most of the respondent were not willing to be recorded so I was forced to take notes.

I also faced major problems to find up-to-date on reading materials roles and practice of social workers in the court setting which could be used as input for the study. Some of the materials I managed to find on the internet requested me to buy online but I could not afford to buy due to dollar shortage and I do not have an experience of international online marketing. I overcame this problem by searching some unpublished and published materials from role and practice of social work in the court.

1.7. Definition of Terms

Child: - The Child Right Convention (CRC), the African Charter on the Rights and Welfare of the Child (ACRWC) has clearly specify the upper age limit for childhood to 18 years and article

215 of the Federal Democratic Republic of Ethiopia Revised Family Code, defines a child or “a minor” as “a person of either sex who has not attained the full age of 18 years.

Court: - the judicial branch of government or body of persons having judicial authority to hear and resolve disputes in criminal and civil cases (Delmar & Brian, 2019)

Court Social worker: is a professional who are helping children in conflict with the law (Juvenile offenders), victims, family matters and case management, monitoring, counselling, and advice on psychosocial intervention of client, provide technical support to the lawyers, facilitate other activities which are essential to the courts (Nigel Cantwell, 2013)

Clients: for the purpose of this study service user in court setting are victim children and law offender children’s, as well as family’s who are in divorce litigation in both in criminal and civil cases.

Counselor; a person who is responsible to provide counselling and social service as well as family therapy, child psychology to parents (Kanickairaj, 2020).

Forensic Social worker; forensic experts as persons who are called to testify in court on a regular basis; due to the fact that they are better qualified than the court to express an opinion on certain matters in a particular field (Queen, 2012).

Family Court: Family court was originally created to be a court of equity convened to decide matters and make orders in relation to family laws, such as custody of children and could disregard certain legal requirements (Wikipedia) .

Intervention Mechanism: Is the method which the court social worker uses to help a victim, offender or the clients (Kanickairaj, 2020).

Mediation: A method of nonbinding dispute resolution involving a neutral third party who tries to help the disputing parties a reach mutually agreed solution (A.Garner 2009)

Referral method: it is a process of referring clients (this could be a vulnerable child, caregiver or household) to another organization or service provider for the purpose of receiving a services that the referring organization does not provide but that the client requires.

Trial settings: is coming together of parties to dispute, to present information (in form of evidence) in a tribunal, a formal setting with the authority to adjudicate claims or disputes (Wikipedia).

Chapter Two: Literature Review

This chapter describes history of social work from the angle of different countries and in Ethiopian courts, social workers roles in criminal case, child bench and family cases, social work in drug courts, forensic social worker, Importance of working in collaboration with different court staffs and intervention mechanism, Challenges of practice of social work in the court, Ethical Values of social work and professional social work practice in the court like, Mediation, Counseling's, Psychotherapy. Also discusses a summary of previous related research on the research problem and their strength and weakness and try to illustrate a justification for the necessary of this study.

2.1. History of Social Work Practice at The Court and Experience of Selected Countries

The profession of social work introduced in England in way of Elizabeth Poor Law following act of social welfare such that; Children who were not cared for by their families, or who were ill-treated or neglected, were cared for by the Poor Law Guardians in institutions alongside adults where they received harsh treatment. Also the 1908 Children Act was one of the first pieces of legislation which addressed a number of issues relating to children rather than focusing on a particular area of concern. The Act established juvenile courts, abolished imprisonment for under 14ages and introduced the registration of foster careers. In 1971 there was a move from specialist Children's Departments to the creation of a generic social work service available to all and with wide community support, which made recommendations that social work services should be offered in a holistic way within one department (C. Lee, 2008).

Currently, in UK the profession of social work playing a countless role for the ensuring social justice like that for adult undertaking comprehensive and holistic assessments as required under legal frameworks, for example: where a court or tribunal requires a formal report on the

social circumstances of an accused or convicted person or a mental health patient, or of someone who lacks mental capacity. When there is a need to establish the least restrictive care and support options for someone who may lack mental capacity. For children & family to assess, review and provide help to a child, family or career with complex family or social care needs, taking full account of appropriate legal frameworks, policy and guidance. It will involve reference to requirements set out in law or statutory guidance, Also social workers can serve as Forensic social workers, serve as psychotherapist, mediators, case managers and facilitators in the court setting (Guide, 2014).

Statutory guidance on court orders and proceedings Social workers work with children and families; they involve in child protection and child care proceedings in courts by acting as a case manager. In providing these services social workers work towards identifying family difficulties within his/her family and provide relevant service for their difficulties to create convenient atmosphere for the child, In doing so social workers are expected to deal with families difficulties at early stages (Sable, 2016).

According to unite kingdom ministry of justice best practice guide (2014) Before Court; For care proceedings, the social worker should: Arrange with the legal team to collect witness bundles prior to the final hearing (and any other major hearing as necessary) so as to be familiar with its layout and content; Ensure that they have read all statements and reports filed in the proceedings; Read through in detail the information, analysis, conclusions and recommendations set out in their statements and/or reports; Ensure that the relevant files are available to take to the court hearing and the necessary permission has been obtained to take them from the office; Check with the legal team the day before the hearing in which court the case is listed and the time of the listing; Check with the legal team whether their attendance at court is required and

whether they will have legal representation. At court, the social worker should: Arrive promptly for the hearing and in good time for any pre-hearing negotiations; Have the witness bundle and the relevant social work files; When in the witness box, speak slowly and clearly to the magistrate or judge and refer to the witness bundle or files as necessary

The experience of social-work profession in the United States social work was acknowledged with correctional populations in the late 1800s through settlement workers' efforts with juvenile offenders and, on an organizational level, in the early topics addressed by the National Conference of Charities and Corrections (Brownell, 1999). Also Social workers have had a defined role in providing services to incarcerated individuals since the inception of the profession in 1904 (Roberts & Springer, 2007). As per the USA National association of social work stated that since the social work has evolved as an essential component of the nation's criminal justice system, the social work practice performed in the various criminal (juvenile) justice systems in the united states is variously referred to as criminal justice social work, correctional social work or forensic social work (NASW, 2010)

Currently practice of social workers in the American legal system are comprehensive; As per the job Description of Social Worker for Court Ordered Supervision Program of New York the court social workers can serve as Participate in all family court hearings and family team conferences, Provide written court reports and collaborate with Family Service Unit and Family Court Legal Services to prepare for all family court hearings, Provide advocacy and coaching to clients (off-site) to address any barriers to accessing any services needed by family members, Collaborate with American court service and other service providers (as needed) to address barriers or challenges related to assessment, service coordination or planning, and/or crisis interven-

tion & Services include family therapy, client advocacy, parent coaching, service coordination, and case management (Jones 2006).

Also in USA social worker serve in Drug Courts; Drug court social workers are in a position to connect participants with services and support. Social workers tailor treatment plans to work with the individual need and the available community resources. A commonality between the social work profession and the drug courts is an emphasis on helping people change their behavior, develop self-efficacy, and set goals benefitting themselves and others (Clark, 2001).

In Africa the practice of modern social work started in Egypt, South Africa & so on due to they are colonized by England but during Colonial era the practice was only limited on remedial bases or on the case of social welfare's however after the end of Colonialism the practice was changed.

Hence in the Court of Egypt social workers can assist the lawyers in different cases some of that; the family & child court of Egypt required that to ensure a high level of judicial expertise, the law mandates a special panel composition in juvenile courts, with the intention of providing efficient legal representation and effective legal assistance, the law requires two specialists (sociologists or social work). The specialists must submit a written report elaborating on all. Also in the human trafficking case the support of social work for psychological assistance is required. In addition to this social workers can serve on the case of women & girls in circumstance of fight violence against women by facilitating women's access to the justice system and providing them with free legal assistance and legal representation (The Law Library of Congress 2017).

Furthermore in South Africa social workers can play vital roles some of that; at Regional & District high courts as forensic social workers. Because Social workers assist court personnel in court cases by means of testifying as professional experts and submitting social work forensic

reports (Joubert 2014). As well social worker serving as the family and divorce mediation due to the case have its own aggressive nature of litigation in divorce matter causes hostility between divorce parties as well as cause tension amongst family members therefore to alleviate this nature the collaboration of social workers with other professional mediation can help parties to reach a mutually satisfying agreement which recognizes the needs and rights of all family members (Dheka 2016).

Also the practice of Botswana is an interesting as per the Botswana's Children's Act of 2009 Establishes Children Court and this court 'shall be held informally and shall sit in a room other than that in which any other court ordinarily sits.' Attendance to the court is restricted to a) officers and members of the court; b) the child concerned and his or her parents, other relatives or guardian; c) the social worker concerned in the case. The law encloses that social workers as critical in dealing with child related issues and views their participation as central to the resolution and adjudication of matters involving children (Lucas & Jongman, 2017).

The Practice of Nigeria: services are provided for children who are in conflict with the law to ensure that they get fair treatment. The cases are normally tried in the family court. In situations where a child commits an offence the social welfare worker is to assign to carry out a social investigation of the child and the case and write a report to the court (Eneh, Nnama-Okechukwu, Uzuegbu, & Okoye, 2017).

Perhaps, it took so long for social workers' role to extensively emerge in the court system till the 1970's, where social workers' role appear very clear and they began to be actively involved in court system as: interviewer, evaluator, involves in crisis intervention and negotiation and referral (Swain & Rice, 2009).

In Ethiopia it was in 2004 that child protection units were first established in ‘woreda’ police offices of Addis Ababa city administration to provide services for children who are victims of abuse (Save the children, 2005). In court setting it was started in 2004/2005 in Lideta Federal First instance court in which the only child friendly court was existed. The practice was started by training nonprofessional court employees to provide social work service for victim children to work as intermediary in CCTV room. In 2008/2009 the social work unit was established to provide professional social work service by including professional practitioners and by now the service has advanced its quality and scope in three benches, victim, children in conflict with the law and custody and the practice become one of the court systems (Sable Ayalew, 2016).

2.2. Roles of Social Workers in the child and youth benches

Children lack of knowledge of trials and courtroom procedures is also cited by both clinicians and researchers as a major source of anxiety for many child witnesses (Dezwirek, 1992, Flin 1989 & Whitcomb, 1992). According to a study conducted by (Freshwater & Aldrige, 1994), focusing on ‘the knowledge and fear about court of child witness school children and adults’ stated: Child witnesses and school children with no experience of litigation were found to have significantly more misunderstandings about terms and concepts in the English legal system than adults. And all the children perceived court as a stressful place (as stated in Marshet, 2013).

That’s why social workers are expected to working as friends of the Children’s court; investigating cases involving children; reporting cases involving children to the police; writing social enquiry reports; application and implementation of child protection orders; working with protected children; arranging alternative care for children; facilitating foster care; working with children in conflict with the law; visitation and inspection of premises placing children (Jongma & Lucas , 2017).

Yablonsky (2013) published an article on the role of law and social science in the juvenile court, both the social sciences and law can benefit from a more dynamic interaction in the juvenile court. And role of social workers in courts working as criminal justice social worker is to balance the conflict between the public need to safety and needs of the offenders to address their bio-psychosocial needs. Here the ethical challenge for social workers is to weight the need of society and the justice system against those of the offenders (Wilson, 2010). In the same manner in case of juvenile delinquents as Robert & Springer (2007) documented, if the judge decide alternative correctional measure other than deprivation of liberty the child might be sent to social worker for mediation service. And if the social worker is successful in creating smooth relation between the victim and the child in conflict with the law, the judge will close the case without passing penalty.

Similarly Social workers can be called as expert witnesses in order to prove to the court that their evidence will promote the fairness of the case and the human rights of the client. This implies that the social worker must be well qualified regarding the psychosocial functioning of the accused and/or victim (for example, the trauma image of the child or the dynamics regarding incest) to form an opinion about the case. Social workers should furthermore refer to aggravating and mitigating factors when testifying in court as an expert witness (Joubert &Wyk, 2014).

An expert witness is someone with a specialized experience, training, or knowledge that enables him/her to explain something to judges (Stern, 1997). Grobler (2007) further clarified the concept by stating that those skills should permit the expert witness to testify to an opinion that will aid a judge in resolving a question that is beyond the understanding or competence of a lay-person. Such a witness is a person who can help the court understand the issues of a case and reach a sound decision. Both Grobler (2007) and Stern (1997) hold a similar view that an expert

witness should offer opinions and interpretations of the evidence. The expert witness is allowed to provide an opinion as to the meaning of what was seen, heard, and felt. The Law deems that the expert's training and experience is very important in courts. (As cited in Queen, 2012)

Also social work practice in the court: which is in any way is related to legal issues and litigation, both criminal and civil. Child custody issues, involving separation, divorce, neglect, termination of parental rights, the implications of child and spouse abuse, juvenile and adult justice services (Sinha, 2019). Social Workers can serve as a Counselor which includes psychosocial counseling, mediation, group counseling, Case manager or liaison working on linkages to services, research & evaluation, legislative level advocacy and Expert Witness participate in court testimony. From this we can see that the role of social worker in court setting is diverse and very essential (Maschi, 2009).

According to unite kingdom ministry of justice best practice guide (2014), The social care legal teams usually complete legal applications forms excluding adoption forms and Role of social work staff in respect of court work is to fully brief and instruct staff from the social care legal team and continue to do so for the duration of the case; Inform the legal team of those persons with Parental Responsibility, parents and significant others; Prepare statements, court care plans and social work chronologies in good time to allow for compliance with court directions and required filing dates; Discuss with the legal team appropriate 'directions' which should be applied for in proceedings; Attend court to instruct lawyers unless otherwise agreed; Provide necessary evidence in support of any applications to be made to the court.

Social workers are also expected to work alongside with other professionals by taking the lead in helping children adults and Families to improve their life's and gain control to provide divers and multidisciplinary service as they are collaborative professionals (Moriarty, 2015). As

Parker (2006) documented social workers role in the case of victim children is to help victim /witness children testify about the crime by making the court less formal and friendly. This helps children to express what has happened in their level of understanding as an intermediary social worker is expert in the area. Involvement of social workers help children to understand the questions come from the court room presenting the formal legal proceedings in a simple words which can easily understood by children.

Social workers in courts are working as criminal justice social worker is to balance the conflict between the public need to safety and needs of the offenders to address their bio – psychosocial needs. Here the ethical challenge for social workers is to weight the need of society and the justice system against those of the offenders (Wilson, 2010). Additionally social workers' evidence will draw together the facts of the case, their empirical observations and a clear account of the child or young person's wishes, set within the framework of statue and In securing best interest of the child the social worker need to be able to explain their recommendations to the court clearly and feel confident they are making the best possible plans for children (Hart, 2017).

As Wilson, M. (2010), documented social work profession has a lot to offer in the justice system in regard to psychosocial services aimed at preventing re-arrests and recidivism through offering evidence-based models for effective psychosocial service delivery to lawbreakers and victims of crime which will help to achieve the objectives of the criminal justice system. Similarly in case of juvenile lawbreakers as Robert & Springer (2007) documented, if the judge decide alternative correctional measure other than deprivation of liberty the child might be sent to social worker for mediation service. And if the social worker is successful in creating smooth relation

between the victim and the child in conflict with the law, the judge will close the case without passing penalty.

“In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interests of the child” UNCRC (1989). That’s why the need of social workers intervention on the justice sector stated as the following; Justice that is accessible, age appropriate, speedy, diligent, adapted to and focused on the needs and rights of the child, respecting the rights of the child including the rights to due process, to participate in and to understand the proceedings, to respect for private and family life and to integrity and dignity. This calls an automatic intervention of the social sector to make the stipulations feasible (Sitiyana, 2017).

2.3. Forensic Social worker

Forensic Social workers assist court personnel in court cases by means of testifying as professional experts and submitting social work forensic reports however to be a forensic social worker it needs specialty in forensic social worker or having knowledge of legal discourse and having knowledge of law of evidence is recommended for the reason that the law of evidence is important to the social worker, in particular, as it determines which evidence can be presented to the court when the social worker is called as an expert witness. Therefore, social work forensic reports must be written according to the principles of the law of evidence and the social worker must at all times understand the mandate of the information or evidence required (Mariette Joubert 2014).

As stated by Hoven, (2006) Social workers can serve as forensic experts as persons who are called to testify in court on a regular basis; due to the fact that they are better qualified than the court to express an opinion on certain matters in a particular field. They are also seen as persons who had acquired specific skills and knowledge on a specific subject and which the court

might lack. Social workers are trained to work with feelings and emotions, whereas those in the legal profession and in court are interested in factual information only (Queen, 2012). Also social workers are expected to deliver as Forensic Social Workers interact with the courts to make recommendations about competency, the risk of violence and alternative sentencing. Similarly, Forensic Social Workers conduct forensic interviews and psychosocial assessments and testify as expert witnesses. Forensic Social Workers can take on this role because they are formally a part of the system (Sinha, 2019).

2.4. Mediation Social Worker

As well social worker serving as the family and divorce mediation due to the case have its own aggressive nature of litigation in divorce matter causes hostility between divorce parties as well as cause tension amongst family members therefore to alleviate this nature the collaboration of social workers with other professional mediation can help parties to reach a mutually satisfying agreement which recognizes the needs and rights of all family members. Likewise social worker serving on the case of Victim-offender mediation efforts, Due to the wellbeing of victim of crime is a central feature of restorative justice services and this service can compensating the victim for the loss suffered an offender take personal responsibility for making good his loss. Also create an opportunity for victim to tell the offender how the crime affected him/her. Hence create an opportunity for offender to apologies and to pay compensation (Dhaka 2016).

2.5. Family Court

In most societies, the family is the primary unit of socialization, economic and social support for its members. When it is unable to fully carry out its functions, support and service to families in need becomes a priority area for the social work profession (Costello, 2003). That's why the state law stated that family, being the natural basis of society shall be protected by the

society and the state, and that is one of means of protection affected by regulating and governing family relation by law; (RFC, Proclamation No 213/2000, 2000).

Family courts are a specialized type of courts entrusted with the disposal of cases concerning disputes relating to the family. In brief, these courts deal with litigation concerning marriage and divorce, maintenance, guardianship and the property of spouses (Kanickairaj, 2020). As a preliminary matter, and though each state may use different nomenclature to identify its Specialized or unified family courts, the term "courts" or "Family courts" are intended to mean the division or branch of a state judicial system with the procedural and adjudicative authority to allocate the physical and legal custody of children between parents or other third parties (Bozzomo & Scolieri, 2004).

Social worker provides services for children and family court advisory and support services and other works social workers care about the well-being of families, and because of their training and experience, social workers can offer valuable services to family courts, particularly in matters of contested child custody (Lewis, 2009). And social workers are professionals specializes in child and family matters to assist children by coping with all issues in their everyday lives, relationships with their families and solve personal and family problems. They advise parents, elderly people or family members about housing, transportation, long-term care, and other services; and coordinate and monitor these services. They may perform such activities by going to the proposed custodial homes and observe the child and parents interacting in an informal atmosphere, the Social Workers provide the reports on children's views to the court "Career Cornerstone Center (2014) as cited in Petros (2014). According to the NASW (2004), standards for social work practice in child protections, one of the expected roles of social workers is to work

with the family. This is because when children disclose abuse, parents frequently respond with bewilderment and distress.

Johner & Durst,(2017) explored “Constructing Family from a Social Work Perspective in Child Welfare in Canada: Study findings suggest that social workers’ construction of family and the decisions they make about family life involve three primary themes: ‘acceptance of diverse understandings of family’; ‘safety and the best interest of the child’, and ‘professional discretionary decisions’.

Engstrom (2019) explored the interpersonal justice: the importance of relationships for child and family social workers. The results suggest that the relationships’ social workers have with their peers and managers are significant components to how they manage emotions involved with practice.

2.5.1. Child Bench

In the court setting one of the sensitive area which social workers has to involve is child bench. According to UN, a child is any human being under the age of 18 that calls on States Parties to take all appropriate measures to ensure and protect children’s rights which are including the right to a name and nationality, freedom of speech and thought, access to healthcare and education, freedom from exploitation, torture and abuse (Blanchfield, 2014). Children are among the most vulnerable sections of the society due to the level of their mental and physical maturity preventing them from protecting their own rights and interests. Hence, much of human rights instruments and domestic legislations impose obligations on the part of the government to provide special protection to children (Tesfaye, 2017).

Children are one of the vulnerable groups of the population who are exposed for different maltreatment in all corners of the globe, in all walks of life. Abuse and neglect, violence against

children, child prostitution, child pornography, sex tourism, child labor and trafficking in children are just some of them (Hopkins, 2013). Similarly, Save the Children (2013) stated that, children experience abuse, neglect, violence and exploitation in all the countries in the world and which many of them are affected.

According to UNICEF (2008), children need to be provided with protection against all sorts of risks and vulnerabilities underlying many forms of harm and abuse including sexual abuse and exploitation, trafficking, hazardous labor, violence, living or working on the streets, armed conflict and harmful practices such as female genital mutilation, child marriage and lack of access to justice and unnecessary institutionalization. In protecting children from these forms of maltreatments, there are different international and national laws and policies like Declaration of the Rights of the Child 1959, Minimum Age Convention 1973, U.N. Convention on the Rights of the Child 1989, Child Protection and Placement Agreements 1996 (Wendy et al., 2007).

Queen (2012) Explored the Social worker, as an expert witness in sexual offences committed against children: Testifying in courts is still stressful to many social workers. Their skills and knowledge are sometimes challenged by their legal counterparts. Maintaining a good relationship with all the stakeholders in the legal arena is very important. Deficiency in supervision, monitoring and failure of inter-professional communication are concerns. Other respondents also indicated that they were supervised by seniors who were not knowledgeable in their field of work.

To enhance the best interest of the child there are a core principles of social work; they are, as articulated by the International Federation of Social Workers, “**Social analysts**- helping people understand, **social catalyts** - helping people achieve change for themselves, and **social**

activists -working through social relationships to sustain change. **Social analyst:** Social workers assess the situation and help people understand their options. For example, in the case of a family wishing to pursue an inter country adoption, a social worker will meet with the family and explain the process, the potential pitfalls and what to expect. Social workers will consider the family and whether a particular child's placement with that family would be in the best interest of that child. In the case of a family conflict, a social worker will explain the risks of relocation, the potential risks to the child, and refer the family to seek additional information about potential legal issues regarding a child's access to both parents.

Social catalyst: Social workers are responsible for the provision of services that will bring about change for the individual, family, community, or system. On an individual level, social workers will: use information gained from an initial assessment to link children and families with needed services (e.g., counseling, medical, educational, legal, mediation); facilitate intra- and intersystem coordination by coordinating services in one domain (e.g., health) with services in another (e.g., employment).³; and/or provide services directly (transportation, counseling, preparation for court, advocacy, high quality assessments for both children and families, child welfare check, search for relatives, background check). On a broader level, social workers also advocate for systemic change. **Social activist:** Social workers work to sustain change at all levels. In the case of individuals and families who have adopted a child domestically or from abroad, social workers are advocating for government funding for post adoptive services to help support the placement and to help prevent a possible adoption disruption. In the case of a family conflict resulting in a child abduction by a parent and his/her subsequent return, social workers provide services to assist the child with his/her reintegration process (Julie & Felicity 2010).

The FDRE (1995) Constitution under article 36 recognizes the different rights of children one of that is the best interest provision of the Convention on the Right of the Child is also incorporated under sub article 2. Hence, on two grounds courts and any other bodies are required to look into the best interest of the child in determining any issue which affects the child. Likewise FDRE Constitution, ratified international treaties are the integral parts of the law. Additionally the Constitution itself mandates the observance of the best interest of the child in all matters concerning children (Aschalew & Martha, 2008).

As stated by Prescott (2013). Child custody disputes exist in a continuum of adaptive change over the life span of parents and children, not a static moment in time when a judgment is entered after a trial. Thus, the vexing problem of courtroom fact finding in child custody litigation is skewed by the ability of lawyers and clients to present a slice of life under high stress and in circumstances of imperfect information. To provide a semblance of rationality that the public will accept as more than random guesswork, a kaleidoscope of facts is often arranged into juridical truths through filters or "recommenders" from a variety of professions, including social workers. These social workers acquire this authority when courts confer upon social workers, as well as other social science professionals, the judicial cloak needed to factually investigate the parents by speaking with lay and professional witnesses; obtaining records and information from therapeutic, medical, and educational resources; conducting child custody evaluations; and eventually, testifying concerning those facts and recommendations, as organized, weighted, and summarized by the social work (Costello, 2003).

Social workers work with the family in providing therapeutic treatment for the child and for the family to give skill how to treat the victim child and how to own their emotion and accept the fact (Dickens, 2016). During family crises social workers intervene in the families when

helping families in need, Because counseling is the most used intervention method to help families deal with various problems and come to reach some goals together (Tembo & Oltedal, 2015). Further stated by Anderson, Weston, Doueck & Krause (as cited in Marshet, 2013) another social work practice with family and children is the case of sexually abused children. This involves a comprehensive intervention by providing therapeutic treatment. As working as a net worker social workers help the child and his/her family gets multidisciplinary services and help in using the referral service. In the cases of victim children social workers work with the family in providing therapeutic treatment for the child and for the family to give skill how to treat the victim child and how to own their emotion and accept the fact (Dickens & Masson, 2014).

Counseling is defined In this regard as a way of enabling choice or change or reducing confusion. And this is done by listening attentively and patiently, whereby the counselor begins to perceive the difficulties from the client's point of view, which can help the client to possibly see things more clearly from a different perspective (Sedan, 2005). Social workers are expertise to discuss and make collateral interviews with children, parents, schoolteachers and other officials and provide reports about the child to the court if the parents cannot settle their disputes in peaceful manner. Hence, integrating the social work assessments with legal deliberation provides a safe, effective way for children's opinions to be heard and to influence decisions to reflect their best interests in family law proceedings. Thus, one critic stated that, 'the filtering of children's voices has the benefit not only of shielding them from the center of the conflict but also allowing their voices to be articulated by a social science trained professional who can be sensitive to the parent-child dynamics in terms of how those views are presented (Parkinson & Cashmore, 2000).

In Ethiopia the actual practice of Social work service in courts focus on cases which involve matters of children and their families. This include children who are victims of any crime

and children who come to courts as witness, children in conflict with the law, in divorces cases which involve issue of custody and adoption. And Social work practitioners in courts are expected to support the court incases which involve children's matter by bringing psychosocial aspects of cases and making the court atmosphere friendly for children. The role of social workers tends to specialize in supporting children and families (Sable Ayalew, 2016).

2.5.2. Use of Screens in the Courtroom

The erection of a screen, which prevents the child from seeing the parties to the proceeding, has the effect of reducing the anxiety of the child and of fostering an atmosphere in which the child can give accurate and comprehensive testimony. As stated by London Child Witness Project (1990) Several jurisdictions, including England, Wales, and some U.S. States, have passed legislation that permits screens to be erected for children involved in the legal process, particularly in family law proceedings. Therefore, a one-way screen allows the parties and lawyers to observe the child while he or she is tendering evidence (as cited by Yosef Petros (2014).

2.6. Drug Court

Drug court social workers are in a position to connect participants with services and support. Social workers tailor treatment plans to work with the individual need and the available community resources. A commonality between the social work profession and the drug courts is an emphasis on helping people change their behavior, develop self-efficacy, and set goals benefitting themselves and others (Clark, 2001). A de-emphasis on social retribution for drug offending allows social workers and drug court treatment teams to focus on restorative justice—justice that reintegrates drug court participants into the community by instilling the values of responsibility and accountability (Van Wormer, 2004).

Tyuse and Linhorst (2005) note that drug court participants often are minorities are unemployed, have histories of sexual and/or physical abuse, have a history of mental illness, have a

history of failed drug treatment admissions, and have a history of suicide attempts. Drug court social workers are in a position to connect participants with services and support. Social workers tailor treatment plans to work with the individual need and the available community resources.

Social workers advocate for the participants and work to get more people into treatment through diversion from the criminal justice system (Tyuse & Linhorst, 2005).

2.7. Social Workers and Interdisciplinary Collaboration in the Court

Every child in conflict with the law has the right to be treated in a manner that takes into account “the desirability of promoting [his/her] reintegration and [his/her] assuming a constructive role in society.” Tailored support for each child and his/her family should be provided throughout the process if the intervention of justice is to be meaningful. Obviously, justice systems are neither equipped nor mandated to fulfill this role alone, and need to work hand in hand with the social sector towards this end. In the absence of such intersect oral cooperation, juvenile justice interventions would miss the opportunity of supporting a sustainable change in the child’s behavior, circumstances and environment (Nigel Cantwell, 2013).

Hence social work with its dual interest in “person changing” and “context- changing” intervention can and should play a significant role in responding to sexual abuse of children. Social workers are needed to view the wide range of possible effects of being sexually abused in the child’s psychological and social life and provide a range of crisis and clinical interventions designed to minimize the immediate and long term effects of such abuse. Social workers are also needed to insure that, other professional groups provide the necessary services to child victims and families and that these services are provided in a manner which does not further traumatize those who have been already abused. Besides, Social workers also should advocate for the creation of special programs for victims (Conte & Shore, 1982).

Accordingly, the NASW code of ethics (2009) confirmed the essence of interdisciplinary collaboration and the need for encouraging social workers to participate in interdisciplinary team by drawing on the perspectives, values and experiences of the social work profession. As stated in the NASW (2004) standards for social work practice in child protection' the social workers intervention in child protective services requires acceptance of unique legal and professional responsibility as well as the capacity to work simultaneously with the child, the parents, other child welfare services, multiple community service systems, legal professionals social workers' practice in Court. The professional relationships among social workers, prosecutors and judicial officers in the juvenile court system are an issue of persistent concern for child welfare agencies and the courts. Evidence of difficult relationships among social work and legal professionals in the court system can be found in studies conducted over 30 years ago (Sloane, 1967; Fogelson, 1970), as stated in Marshet, (2013). As Mantle (2015) mentioned, in addition to their collaborative role working alongside other professionals and using interdisciplinary service social workers working under legal setting have to use an interdisciplinary and distinct range of legal and social work knowledge and skill to help people make change in their lives and to get the outcome needed.

From a systemic perspective (Marton1965), the greatest benefit of service coordination and integration is to eliminate duplication of services, which can be costly both from a dollars and-cents standpoint and in terms of wasted resources. Additionally, increased communication among and between agencies along the service delivery continuum enhances ability to: Reduce barriers to services; effectively respond to problems within the service delivery system; effectively implement standards and quality improvement measures; and perform evaluations of service delivery outcomes.

Social workers are also expected to work alongside with other professionals by taking the lead in helping children adults and families to improve their life's and gain control to provide divers and multidisciplinary service as they are collaborative professionals (Moriarty, Baginsky, & Manthorpe, 2015). The writers also stated it is very important for social workers to alert other agencies and use referral. Alerting other agencies means making concerned agencies aware of what was happening in the cases they are handling as a way of re-energizing their work in progress where they already involved. And using referral is sending families to statutory and voluntary agencies for foundling, consultation, work with behavioral problems and family support.

2.8. Intervention Strategies

Intervention is a strategy adopted by social workers to involve with individuals, families and groups to enable them to meet their needs and issues. The main purpose of interventions is to aid clients in alleviating their problems and improving their well-being and healthy living, which in turn promotes peace, tranquility and good understanding. In working with families the intervention strategies adopted by the social worker often depend on the nature of problem and its dynamic impact on the individuals. The social workers involved in working with the families engage themselves in adopting interventions such as emotion-focused intervention for couples, strategic intervention, intensive family preservation approaches, solution-focused brief intervention, psychotherapeutic approaches, family psycho-education, and family stabilization (Kanickairaj, 2020).

2.9. Professional Social Work Practice

Existing literature state that professional practice is the applied use of professional social work knowledge, values and skills to address the concerns of the persons seeking help (Higham, 2006).At the same time as the social worker knows and acts on what he/she stands for, the social worker also stretches him/herself to seek to know more and to do better than he/she knows and

does today. Contemporary practice in social work requires the process of partnership between the person and the social worker rather than a power imbalance where the social worker or other professional worker makes decision without full regard for the wishes of the person who uses services (Higham, 2006). When we talk about social work competence we talk about knowledge, skill and value because competence is the product of knowledge, skills and values. Competence includes the abilities of individual practitioners or social workers to use their knowledge, understanding, skills and values to help service users. Also they need to understand the way that these four features are supported in the wider social and environmental context. This emphasizes the interrelationships between structural and individual factors in relation to the context in which services operate and are delivered (Trevithick, 2005). As cited Rahel (2017). USA NASW (2005) has developed professional standards for social work practice in court. In this material there are 16 standards settled to guide social workers on how to engage in professional social work practice when working in child welfare settings. The standards are related to issues of :- ethics and values, qualifications, continuing education, advocacy, knowledge requirements, confidentiality of client information, supervision, cultural competence, collaboration, focus on prevention, engagement, comprehensive service planning, child protection, out-of-home care, permanency and social work administrators.

2.9.1. Ethics and Values of Social Work

Ethiopia and regional state of Oromia doesn't have a standard or a guideline for social work practice. Therefore, this study used NASW standard for social work practice, with court welfare setting to assess social workers' ethics and values. National Association of Social Work (NASW, 2005) standards for social work practice in child welfare. Standard 1 states that "social workers in child welfare shall demonstrate a commitment to the values and ethics of the social work profession, emphasizing client empowerment and self-determination, and shall use the

NASW Code of Ethics (1999) as a guide to ethical decision-making". The NASW Code of Ethics establishes the ethical responsibilities of all social workers with respect to themselves, clients, colleagues, employees and employing organizations, the social work profession, and society. Acceptance of these responsibilities guides and fosters competent social work practice in all child welfare tasks and activities. As an integral component of the child welfare system, social workers have a responsibility to know and comply with local, state, and federal legislation, regulations, and policies. Legal and regulatory guidelines as well as administrative practices may conflict with the best interests of the child and/or family. In the event that conflicts arise, social workers are directed to the NASW Code of Ethics (1999) as a tool in their decision-making.

There are five core values embraced by social workers throughout the professional history. They are foundations of social work unique purpose and perspective. The values are: service, social justice, dignity and worth of person, importance of human relationships, integrity and competence. 1. Value: service Ethical principle: social workers primary goal is to help people in need and to address social problems. 2. Value: social justice Ethical principle: social workers challenge social injustice. 3. Value: dignity and worth of the person Ethical principle: social workers respect the inherent dignity and worth of the person. 4. Value: Importance of human relationships Ethical principle: social workers recognize the central importance of human relationships. 5. Value: Integrity Ethical principle: social workers behave in a trustworthy manner (NASW, 1999 pp.7-8). NASW code of ethics (1999) also developed other ethical standards for social workers.

The standards are important for the professional activities of all social workers. The standards are under six categories and the categories are; social workers ethical responsibilities to clients, social workers ethical responsibilities to colleagues, social workers ethical responsibil-

ities in practice settings, social workers ethical responsibilities as professionals, social workers ethical responsibilities to the social work profession and social workers ethical responsibilities to the broader society. In the ethical standard of social workers ethical responsibilities to clients, there are sixteen standards that guide the social workers ethical decision making, among them informed consent and confidentiality can be stated as an example. Regarding informed consent the ethical guideline states that social workers should provide services to their clients based on professional relationship. To inform; the purpose of services, risks, limits, alternatives, the right to refuse or withdraw consent and about time frame of the consent for their clients, they should use clear and understandable language and provide their clients the chance to ask questions. Regarding confidentiality, it is stipulated that social workers except for professional reasons should protect the confidentiality of all information they got in giving service to their client. But confidentiality can be broken if disclosure of client information is necessary to prevent serious, foreseeable and imminent harm to the client or other person

2.10. Theoretical frameworks

2.10.1 Social constructivist perspective

According to the constructivist perspective reality is subjective and context specific. It focuses on individual stories. It also acknowledges difference and is open to new ideas and entertain new dimensions. The perspective grounded on the fact that social reality is created when actors get involved in social interaction, then they create a common understanding of their world (Hutchison.E., 1999). This theory helps social workers especially in case of custody to encourage parties express their own reality and to understand the client's side of story and better and to understand the circumstances of victim and children in conflict with the law because in this theory the perception of true, false, good, bad, right or wrong are relative concepts or entirely dependent on the person who is interpreting them.

2.10.2. Attachment theory

This theory is based on how the early parent-child relationship influences the development of a person. This theory provides the most useful perspective on early parent-child interaction. It recognizes and gives great deal of credit for unconscious and internalized ideas. Most importantly identifies early relationships with caregivers as major factors for personality development (Davis, 2011).

This theory believes the effect of separation of children from their care givers affect or defines their personality for the future. Therefore main emphasis of this theory is to keep children close to their main care givers to sustain sense of security. This theory help social workers work in custodial issues to give emphasis on which one of the parents the child has more attached with.

2.10.3. System perspective

System theory is based on the belief that individuals don't operate in isolation so that this framework emphasizes on the interaction and inseparability of person and environment as a whole. It also tries to see all factors which has influence on the matter and helps to better understand and explain the condition in relation with social, cultural, economic, and political environments of human behavior.

System perspective sees human behavior as the outcome of reciprocal interactions of persons operating within organized and integrated social systems. And believe its roots are very interdisciplinary (Hutchison.E., 1999). That societies are made up of social systems 'a bounded set of interrelated components such that change in one component brings about change in another' at micro level – individual, couple, group. At macro the holistic society the 'social system' which includes 'sub-systems that are also systems within themselves: health/education/legal/social services/religion each operate separately but also together. (Babbie, 2010)

There are many practice interventions available to social workers in the court system, especially those working in the child and family matters cases. Strengthen one part of the system to improve the whole is the basic idea and in child victim, children in conflict cases or at the time of family dissolution addressing the child best interest & addressing social problems of or other problems contributing to criminal actions could be an essential intervention to consider.

Interacting and referrals, as one of the intervention suggested by the theory, a critical part of any social worker's duty is serving clients with the structures. This often means referring clients to specialists, or connecting them with resources or organizations that can help their situation. In the case of victim children & child in conflict with law is referral to a counselor or any other psychosocial support they may demand and understanding this helps the social workers provide and facilitate holistic service provision. Hence for this study this theory has a direct relationship.

2.10.4. Social learning theory

Social learning theory of crime argues that some people learn to commit crimes through the same process through which others learn to conform. The theory assumes that people, at birth, have neither a motivation to commit crime nor to conform (Ruth, 2015).

According to social learning theory, children learn to engage in crime, primarily through their association with others. They are reinforced for crime, they learn beliefs that are favorable to crime, and they are exposed to criminal models. As a consequence, they come to view crime as something that is desirable or at least justifiable in certain situations. The primary version of social learning theory in criminology is juveniles learn to engage in crime in the same way they learn to engage in conforming behavior: through association with or exposure to others. Primary or intimate groups like the family and peer group have an especially large impact on what we learn. Using this theory helps social workers in the court regarding children in conflict with law

sight participation in criminal activities could be learned through socialization and consider social reform could be a tip for proper intervention when working children in conflict with law (Akers, 2000). Hence this theory can help social workers to understand about the behavior of child in crime offenders & what drive them crime. ‘’

2.10.5. Conflict Theory

In general, conflict theory seeks to scientifically explain the general contours of conflict in society: how conflict starts and varies, and the effects it brings. The central concerns of conflict theory are the unequal distribution of scarce resources and power. What these resources are might be different for each theorist, but conflict theorists usually work with Weber's three systems of stratification: class, status, and power. Conflict theorists generally see power as the central feature of society, rather than thinking of society as held together by collective agreement concerning a cohesive set of cultural standards as functionalists do, Where power is located and who uses it and who doesn't are thus fundamental to conflict theory. In this way of thinking about things, power isn't necessarily bad: it is a primary factor that guides society and social relations (Ralf Dahredrof 1958).

Hence this theory applicable for social work since Conflict theory is considered a major paradigm in the field of sociology and it serves as an important component of social work. Conflict theory provides an explanation for the ways that power differentials impact the daily lives of individuals and communities. Social worker addresses these asymmetric power relationships by helping to confront both the sources and symptoms of inequality.

Chapter Three: Research Methods

In this chapter the methods and techniques of the researcher used for conducting the study are discussed. Specifically describes research design, study area, data sources, and partici-

pants of the study, sampling techniques, sample size, methods of data collection and methods of data analysis. In addition, quality assurance, ethical consideration of the study are discussed.

3.1. Study Design

In order to investigate the role of social work in the court setting, employed a case study design, which is one of qualitative research methods. Creswell (2007) stated qualitative research is important when we need a complex, detailed understanding of the issue and this detail can only be established by talking directly with people, going to their places of work and allowing them to tell the stories or through different range of methods which are in person interviews, observation, diaries and journals.

The study specifically employed descriptive case study to describe the natural phenomena which occur within the data in question. The method also enables a researcher to closely examine the data within a specific context. This study specifically employed single case study. A single case study method selects a small geographical area or a very limited number of individuals as the subjects of study (Zaidah 2007).

The research site was also selected purposefully because the inquirer selects individuals and sites for study because it can purposefully inform an understanding of the research problem and central phenomenon of the study (Creswell, 2007).

Cross-sectional research design was used as the appropriate design regarding time dimension. Cross-sectional research is a study conducted at single point in time (Chris & Diane, 2004). Accordingly; this research is conducted for specific time period from May to June 2021.

3.2. Study Area

The study was conducted in Jimma City, usually called Jimma Abba Jiffar, is one of the oldest and historic cities of Ethiopia located under Oromia National Regional State 352 km away from South West of Addis Ababa. The name Jimma was derived from “Mecha Oromo clan

called Jimma Wayyu”. Jimma was one of the Five Gibe States (Shenan Gibe) next to Gera, Limu, Inariya and Gomma in the 18th century. Later in the Century Abba Jiffar 1 established Kingdom of Jimma by incorporating these Five Gibe States. The king moved his capital from Manna to Jiren in order to control the expansion of market in Hermata area. However, the City gained its utmost strength and glory of its time during the time of Abajifar 2nd (1875-1933) the successor of Abba Jifar. Currently in this city, there are 18 sub districts (kebele administration). The first court was Jimma town woreda court, it is found in Becho bore kebele administration, locally named “*Ybetebaberut*”. This court has a legal jurisdiction in the area of Jimma City Administration and as per the Oromia regional state Court structure, this court has a Material jurisdiction amounted to 3 Million birr.

The second court was Jimma zone high court, this court has legal and Material Jurisdiction over the cases raised from the administration of Jimma Zone and also it is an appellate court for the cases raised from the whole Jimma Zone Woreda Courts. This court found in Awetu Mendara kebele administration.

3.3. Sources of Data

3.3.1. Primary Data Source

Primary data were gathered through in-depth interviews, key informant interviews and observations. This was done with the aim of ensuring the validity and trustworthiness of the study by gathering data from multiple sources.

3.3.2. Secondary Data Source

Secondary data sources include closed related court files, guidelines of social workers, journals, books, published /unpublished reports and previous empirical studies related to the topic under study

3.4. Study Participants

The participants of the study were social workers, lawyers, Judges, President of Jimma town woreda court, public prosecutors, and Human resource managers of Jimma Zone high court.

3.5. Sampling Technique

The study employed purposive sampling which is one of non-probability sampling techniques. A qualitative sample is usually chosen purposively to reflect the situation under investigation (Alston & Bowles,2003). Purposive sampling involves identifying and selecting individuals or groups of individuals that are knowledgeable about or experienced in a phenomenon of interest (Creswell, 2007). Consequently, the study participants were selected purposively court social workers and lawyers who are working in the court setting.

3.6.1. Inclusion Criteria

- ✓ Being a court social workers of Jimma zone high court and Jimma town woreda court.
- ✓ Being a Judges or lawyers, administrative staffs and public prosecutors of the “woreda” or high court.
- ✓ Giving full consent to participate in this study
- ✓ Professional working experiences on the area at least for six months mandatory.

3.7. Sample Size

The sample size for this study was 4 In-depth interviewees and 8 key informants which makes a total of 12 participants. For this number of participants determination was participant’s knowledge about the practice of knowledge, workers on the area and data saturation.

3.8. Method of Data Collection

3.8.1. In-depth Interview

In-depth interviewing is a qualitative research technique, which involves conducting intensive individual interviews with a small number of respondents to explore their perspectives on

a particular idea or situation (Boyce, 2006). Since the study focused on the practice of social workers in the court setting, to get reach and relevant information it requires interviewing those experts who have direct knowledge about the case. In-depth interview needs selecting the semi structured interview method. (Hancock and Algozzine, 2006) stated semi structured interview gives interviewees opportunity to express themselves openly and freely and to define the world from their own perspectives, not solely from the perspective of the researcher” (p. 91).The interviewer is given freedom to deviate from the interview questions as needed to pursue serendipitous findings and fruitful directions (Vanderstoep & Johnston, 2009 p.246).

To get reach information about Roles and practice of social work, procedure, individual challenges which encounter them and to explore attitude of lawyers in relation to the practice and support of social workers for the court service. Hence in this in-depth interview participants are court social workers from both courts.

3.8.2.Key Informant Interview

Key informant interviews involve interviewing individuals who are likely to provide needed information, ideas, and insights on a particular subject. Key informants are selected for their knowledge and role on specific topics and their willingness and ability to serve as translators, teachers, mentors and /or commentators for the researcher (Barbara & Benjamin, 2006). Key informants are people who are well-informed about the social work practice as of their proficient knowledge, official position, and work in relation with the issue, will be provide information about the supports of social work profession, Cooperation issues, referral system and may provide extra information from different angle about the role and application of skill and knowledge of social work practice.

Therefore key informant were selected from Judges, lawyers, Public prosecutors, president of Jimma town “woreda” court and Human resource manager of courts. The interview ques-

tions were semi-structured and are generated data from the current practice of social work in both courts.

3.8.3. Document Review

In qualitative research, document analysis requires that data must be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge. Documents contain text or words and images that have been recorded without a researcher's intervention (Bowen & Glenn, 2009). Accordingly, relevant documents of the service like the guideline for social work practitioners in court setting were reviewed. As stated by Alston & Bowles (2009), Client files can also be assessed qualitatively. It is useful to provide qualitative comments in your files that give a summation of each case. These memos can then be used to assess your interventions across a range of clients and intervention strategies. Files can also be assessed for the type of language used to report cases, the theoretical and ideological position displayed, and the effectiveness of the outcomes and the mode of interaction with the client. Therefore, reviewing resolved case files were helpful to explore intervention methods of social workers.

The other document to be reviewed is a justice policy because referring this policy may help to contrast actual practice of the court with the stated policy or to know gaps of courts or gaps of the policy. In addition to this report, purposively selected closed court files, meeting minutes, and different published and unpublished literatures were reviewed as a source of data collection.

3.8.4. Observation

Since the researcher plans to explore practice of social workers in court setting, observation helps to have a full picture about the strengths and limitations of the practical services and role of social workers in the selected courts. The researcher observed activities of the social workers in their working environment, interaction between social workers and clients, clients and

court workers, arrangement of benches whether they are child friendly or not, whether they are victims friendly or not. Observing participants in their actual place is more reliable. It is possible to see how they actually behave. In interviews, participants may be asked about how they behave in certain situations but there is no guarantee that they actually do what they say they do. Therefore, observation can fill this gap. Observation can also serve as a technique for verifying or nullifying information provided in face to face encounters (Beverley, 1998).

3.9. Data Collection Procedure

Data gathering started soon after the approval of the proposal by the School of Social Work. Then, the researcher has taken the support letter to Jimma Zone high court and Jimma town wareda Court offices because they are a center of the research area. Hence after giving a supportive letters the researcher discussed with his advisors and decided with whom the interview has to be conducted and then the researcher arranged a meeting with those selected participant for interviews.

Later, I selected the participants of the study, communicated the participants and collection of the data proceeded. First, the interview question for the in-depth interview and key informant interview was translated from English to Afan Oromo. In in-depth interview and key informants interview, for those who gave their consent, audio-recording was used for participants whereas notes were taken while interviewing those who did not give consent for tape recording. In line with tape recording, I took short notes in the interview process in case the recorded file is lost.

3.10. Data Analysis Techniques

The aim of data analysis in qualitative study is reducing and organizing the bulky data into specific themes in order to explore participants' experience in social and historical contexts

out of the data. Thus findings can be interpreted in a meaningful way. In addition. Data collection and analysis must be a simultaneous process in qualitative research (Creswell, 2009).

According to Cathrine, et al, (2006) thematic analysis, grounded theory and framework approach are the three main approaches to qualitative data analysis. From the three, thematic analysis approach was appropriate and used in this research. Hence the data were analyzed thematically by Compacting extensive and diverse raw data into concise structure and then major issues generated by the participants were detected and identified.

On the other hand, case study notes are important for data analysis and were used for the research. The notes as (Creswell, 2007) described are results of an investigators interviews, observation or document analysis. The only essential characteristics' of the notes are that, they can be organized, categorized, complete and available for later access. Therefore, the notes would be used for noting down and keeping detailed information in the data collection process and used for data analysis purpose.

After conducting all the interviews, audio recorded data were translated and transcribed and notes directly from Amharic and Afan Oromo, into written forms (Amharic) and the transcriptions was translated to English.

Then follows categorizing and coding the data in different themes and similar data was organized and categorized under each theme. De Santis & Ugarriza (2000) as cited in sitiya (2017) defined a theme as an abstract entity that brings meaning and identity to a recurrent experience and its variant manifestations. Coding as such helped the researcher to identify and categorize the data accordingly and to put it thematically. Similar categories came under one code and a different one stood apart under the major theme. This helped to produce and present a meaningful presentation.

A theme captures something important about the data in relation to the research question and represents some level of patterned response or meaning within the data set (Braun & Clarke, 2006). So, the researcher analyzes it according to the research questions and set it under similar ideas. This meant as a way to categorize under a general idea. It is necessary to make sure that the theme developed from the data. During analyzing this data, similar information has been deleted to reduce data repetition.

3.11. Data Quality Assurance

There are chances for biased, dishonest or unethical research. Therefore, assuring the quality of the data is ensuring integrity of the research. In qualitative study, objectivity is ensured through emphasizing on human factor and empirical firsthand knowledge of the research settings which implies that researcher should not detach themselves from events and people they are studying, to the contrary they should gain personal insight, feelings, and human perspectives to understand social life better (Kreuger, 2006).

Hence, the researcher avoided any issues which may raise question about the reality of data, so as much as possible to make the study trustworthiness the data To avoid deliberate distortion, participants of this study were carefully selected by using pre-determined inclusion criteria and the researcher tried to guide the participants to be focused and relaxed while responding to the semi unstructured open ended questions. In addition, the researcher avoided personal bias, gave due attention and engaged with skill and deed in good faith while Interview social work practitioners, Lawyers and other stakeholders were carried out at their offices which were convenient to communicate about the issue based on the participant preference and, to ensure privacy and confidentiality.

The other technique to assure credibility of qualitative data was triangulation. Triangulation is a methodological approach that contributes to the validity of research results when multi-

ple methods, sources, theories, and/or investigators are employed” (Creswell, 2007). In this study, different methods of data collection such as in-depth interviews, key informant interviews and observation of work places activity was incorporated in order to ensure the quality of data and to allow the researcher to compare data which were gathered using different methods during data analysis.

3.12. Ethical Consideration

A consent form letter was needed, which explained about participant’s right. The researcher made sure each and every participant read and signed before starting the interview. Informed consent was made available to all informants at all levels. At onset, the researcher communicated with concerned Court Official and government authority with written formal letter, and discuss the intent of the study.

After acquiring permission, the researcher communicated purpose of the interview to all subjects and collected data based on their consent. Further, no personal information has been included and printed on the study report. Each and every piece of information was kept secret and used only for the purpose of this study. Confidentiality of information has been applicable throughout all processes of the study.

Chapter Four: Findings

This chapter presents the main findings of the study. It mainly includes the socio demographic profiles of In-depth informants, the data gathered from the In-depth interviews, Key informant interviews, and Observation. Are presented and discussed, thus main issues presented in detail with their crucial sub topics to address accordance with the objectives outlined at the beginning of the study. Thus major sections in this finding are; the role of social workers, practice of social workers application of skills and knowledge in court, referral system and supporting system, social workers collaborations with legal professionals such as the judge, lawyers and public prosecutors, attitude of coworkers for the profession of social workers, Challenges of the practice, as well as identified gaps. In order to maintain the anonymity of the in-depth interview, Pseudonyms or false names were used instead of their actual names.

4.1.1. Socio-demographic background of In-depth Interview participants

In-depth interviews were conducted with social work professionals working in the selected courts and Lawyers(Judges) in both courts. Those all professionals were purposely selected as per their knowhow and working on the researched area and their minimum working experience, from both court and agency employees. The participants of this in-depth interview was resultant total number of informants who participated in the study were 4 professionals.

Table I: Background information of the in-depth interview participants

Information	Sex	Title	Education back ground	Work experience on the field	Employer
SW1	F	Social worker at Jimma town Woreda court	1 st Degree in Management	1 year	Court Employee
SW2	M	Social worker at Jimma town Woreda court, Child diversion center	1 st Degree in social work	3 year	Woreda court Child Diversion Center worker
SW3	M	Social worker at Jimma high court	1 st Degree in Economics	8 Months	Jimma Zone High Court employee
SW4	M	Gender Social worker at Jimma high court	1 st Degree in Law	2 years	Jimma Zone High Court employee

4.1.2.Socio-demographic back ground of key informants

There are 8 key informants, from them one was a female. All key informants of the study came from the different backgrounds of fields/professions/ and From Key informants of court one was court president, one was court human resource manager, four was Judges, and the other was public prosecutors.

Table 2: Background information of the key informant interview participants

Participant code	Sex	Job Position	Educational background	Work experience on the field	Employee
Law 1	M	Judge (Lawyer) of “Woreda” court	1 st Degree in Law	5 years	Court Employee
Law 2	F	Judge (Lawyer) of “Woreda” court	1 st Degree in Law	11 years	Court Employee
Law 3	M	Judge (Lawyer) of “Woreda” court	1 st Degree in Law	11 years	Court Employee
Law 4	M	Judge (Lawyer) of High court	1 st Degree in Law	10 years	Court Employee
PP1	M	Public prosecutors at Jimma town General Attorney	1 st Degree in Law	14	General Attorney Employee
PP2	M	Public prosecutors at Jimma Zone General Attorney	1 st Degree in Law	12	General Attorney Employee
Hr.1	M	Jimma Zone High Court, Hr.	Management	15	Court Employee
Pr.1	M	Jimma town Woreda Court, President	2 nd Degree in Law	13	President of the Court

4.2.Social Workers Practice in ‘Jimma town woreda’ Court

In ‘Jimma’ town woreda court are, social workers have practice of assessment report about the child custody, based on best interest of the child and agency social workers have a practice of working with victim’s children and law offender’s children’s and youth law offenders, expert recommendation in criminal bench.

4.2.1. Social Work Practice In the family and children civil bench

In the court setting, one of the social workers skill and knowledge applied is in a family and children benches. In these benches, social workers have different roles. They are custodial and mediation.

4.2.1.1.Custodial

Social worker provides services for children and family court advisory and support services, social workers care about the well-being of families, and because of their training and experience, social workers can offer valuable services to family courts, particularly in matters of contested child custody (Lewis, 2009).

In-depth interview participant SW1, stated that, “In case of custodial disputes, by the Judge order we involve in to the case, to explore best interest of the child and to identify where has to be the convenient place for the child development. Also in this assessment we provide detailed information about parent’s behavior, economic situation of both parents and we asked interest of the children with whom parents they want to live, then we present our detailed report for the court.”

“Until today social workers delivered around 90 expert opinion and recommendation for the court and the court accept social workers recommendations.” This shows the reliability of the expert recommendation social workers present to the court and role of the profession provide for the court.

4.2.1.2.Mediation

In-depth interview participant SW1, Stated that, “In case of divorce dispute before deciding divorce decision, mediating parties recommended, but the court does not initiate social workers to mediate the parties, however when we work an assessment of custodial case sometimes we seen feeling of regret from one of the partners, also some children prefer to live with both parties, due to this feeling as much as possible we try to convince them for mediation and this year I was fruitful in two cases”.

In addition to this, in-depth interview participant SW2, Stated that, “with in my stay of 2 years at child diversion and court social worker, 50 divorce cases was referred to me, to counsel about the fate of their children, how to treat their child, within this communication I tried to cope with them, within this effort, I mediated 30 couples and from them I was successful in 10 cases. The families reconciled and settled their conflicts peacefully and living together by withdrawing their appeal. The situation was tough but individually when they talk about their feeling and pain most of them feel cool down, then when I raised the future crises they and their children will faced some of them regretted and immediately withdrew their application.”

4.2.1.3.Maintenance

In cases of Maintenance; In-depth interview participant SW3, stated that, “after the divorced was awarded, if a party who awarded visiting right of his/her child was not ready to pay maintenance cost of his/her child to the party who has a right of guardian. And try to hide his/her income, then by the court order we will try to gather information about income of defendant from neighbors, community and sometimes from an institution, then report our finding to the court.”

4.2.1.4.Counseling

Counseling in case of divorce; In-depth interview participant SW2, stated that,” as to best of my knowledge no one was referred to social workers for counseling service. Even though

court ordered us for custodial assessment, we will try to counsel both parents, to cool down their hatred thinking of the ex-spouse, to make their future relationship healthy, it helps for their children development, financially, mentally and psychologically.”

4.3. Social work practice in the criminal bench

4.3.1. Advocacy

Advocacy is the prominent role of social workers, while trying to change the system and advocate on behalf of the victim In-depth interview participant SW2; replied that:

“Social workers have the role of advocacy, though it is not recognized by Judges/court/. Since I have been employed in the court as an agency social worker, I have never seen that court orders to social worker to deliver service of Advocacy for the vulnerable one. However, I personally delivered service of advocacy for different vulnerable individuals”

4.3.2. Facilitation

One of the major role of social workers in the criminal benches are working as a facilitators for the victim one. In-depth interview participant SW2 stated that:

“The involvement of social workers in the court creates the service delivery to be less difficult and harmful to physically and sexually abused youths (girls) who bring their case to court trials. Due to social workers engagement with victims is non stressful, treat them systematically and court procedural activities has run with an understanding of children’s developmental competences, hence social workers in victim benches serve as intermediary agents between the court and victim children, especially sexually abused one.”

In addition, In-depth interview participant SW2 stated that: “Social workers attempt to make the court ‘child friendly’ to children who come before the court of law as witnesses. That way children serve as witness varies from adults. The children’s’ testifying rooms are connected with closed circuit television (CCTV) to help the children testify during the criminal prosecution on different offences especially sexual offences.”

4.3.3. Counseling

The other role of social work in the court setting is counseling. In-depth interview participant SW2, Stated that:

“When I was in the court, I have not seen a single cases ordered by judges to social workers which requested service of counseling. However in child diversion center I delivered service of counselor for law offender youths, because it help them to change their bad behavior, to choose good peers, to change their attitudes. And after counseling’s their feedback was good and appreciate them”

4.3.4. Education

Educating family of victim children and youths in case of sexual abuse and harassment, in case of child offender is essential, because it help to protect victim’s psychological damage, trauma, second victimization and other interrelated issues that may arise because of their current situation. However *“as per all respondent stated that, there is no formal and informal session for educating the family or community.”*

On the other hand the data gathered from document review of closed public prosecutor file show that importance of educating families of victims and community members.

Regarding this key informant interviewee pp1 say that: “a 10 years old girl was sexually abused by her stepfather came to the police and the case delivered for us. However, before the court start hearing the case, dispute arises between the mother, suspected husband and the victim child, as the mother claimed the accusation by stating a false allegation, by stating it is purposely made by her child to disgrace her husband. Then the child denied to give her testimony in the court trial. That why we obliged to close the case as per criminal procedure article 142. As we got informal information the mother was economically dependent on her husband and she have

other children from her husband also her husband's relatives convinced her and forced her victim child to deny the case.”

In addition, key informant interviewee pp2 say that: “there were several closed cases of sexual abuse before they were presented to the court due to the victim's denial to testify in the court, due to family interference and decided to conclude marriage between the suspect one /law offender and victims. Because family of the victims perceive that no one would not choose them for marriage in the future.

Hence educating the victim's family to change their attitude and to protect the victims from further traumatize is mandatory. Therefore, unavailability of this service in the court setting is one of the gap discovered by the researcher.

4.3.5. Engagement strategy

Intervention is a strategy adopted by social workers to involve with individuals, families and groups to enable them to meet their needs and issues. The main purpose of interventions is to aid clients in alleviating their problems and improving their well-being and healthy living, which in turn promotes peace, tranquility and good understanding (Kanickiaraj, 2020).

Therefore in Social work practice before entering into to the case of any client, drafting engagement strategy is necessary. Hence regarding this all In-depth informants responded that: *“they don't have engagement strategy, thus they are working as they think it is good for service delivery.”*

4.4. Social work practice In case of law offender juvenile

4.4.1. Expert opinion

In-depth interviewee sw2 say that: “Occasionally in case of law offender's youth, a lawyer ordered social worker to examine about the suspect offenders past behavior, family background, his peers, report and expert recommendation for the court on what type of correctional

measure should be passed by the court, like he has to join child diversion center or jailed. But accepting or rejecting the presented social workers report and recommendation was court discretion as he said.”

4.4.2.Counseling

In-depth interviewee sw2 say that: “Judges did not transfer vulnerable for social worker for counseling that’s why we are not delivering counseling for victims, but when law offender juveniles join child diversion center one of the service in the center is counseling, because it help them to changes their bad behavior, to choose good peers, and to change their attitudes. And as he said after counseling’s their feedback was good and appreciate him”.

4.4.3.Forensic social work

A literature states that social workers give opinion evidence, as their evidence is gathered through exhaustive social work forensic assessments, hence social worker has role in forensic report preparation. However, “*all participants of social workers in an in-depth interview responded that they don’t rely on social workers forensic report in both courts.*”

Because there is a knowledge gap about the practice and benefits of forensic social work by all participants.

4.5.Practice of social workers in the Jima zone high court

As per my in-depth interview with sw3 and sw4 say that: “the practices of social work in the high court are delivered in two benches, which are appellate family bench and appellate criminal benches. In case of family bench, role of social work are for the purpose of custodial assessment, gender issues, helping vulnerable women’s, whereas in criminal benches, social workers’ role is to support victim children’s.”

In-depth interview participant sw3 say that: “*his main role is assuring best interest of the child that is in case of guardianship dispute.*” Hence the result was same with data found from

sw1 of woreda court. However the difference practically he is not engaged on the service of social work.

In addition, in-depth interview with sw3 say that: “his man practice is helping vulnerable women who have a cases of child maintenance, property or material share litigation appeal or creating conducive environment for women’s comes for the court proceedings, connecting them with attorney, facilitating free attorneys for them, facilitating rest room for their child or napping room and where they feed their child and wash their children. For those who cannot afford to buy diaper we try to serve free charges of changing their child diaper. I also sometimes try to connect them with NGO and with the town office of child and women affairs for financial support.”

4.6. Application of skill and knowledge of social workers for the court service

As per the collected data sources from key informants interviewees Law1, Law2 and PP1, as well as assessment of documents finding and systematic observation of the actual practice reveal that:- The importance and benefits of the practice of social workers to the court, in case of victim children, youths, women’s, law offender juvenile, for child custody, for adult to deliver service of mediation like for divorce dispute and counseling for victim’s, who feel depressed or traumatized, for advocacy, for educating family of the victim especially in case of sexual abused one application of skill and knowledge of social work is too vital.

Hence, Key informants interviewee Law1 reveal that: “if the court or lawyers has use practice of social work properly, social workers can contribute a lot for the court services such that; in case of custodial issues support the court by providing strong report about the family situation. So that the court can reach on the correct judgments which indorse the best interest of the child, the assessment report empower the court about the family, to decide which parent should get custodial right, and which one should have visitation right. Also helps the court by minimiz-

ing work load of lawyers, due to application of their special skill court capacity also increase quality of service, especially in case of sexually abused children and youths; because naturally children can't express what happened to them in a clear language or articulate their abuse experience openly before the court.”

Additionally Key informants interviewee Law1 explain that: *“sexually abused children fear that witnessing in open trial and in front of the suspected perpetrators and also due to our cultural influence sexual victim women's feel shame expressing in front of judges, hence involvement of social workers in the court structure is important. “*

Furthermore, Key informants interviewee Law1 explain that: “in case of divorce issues, before deciding divorce award, the Oromia regional government family proclamation no 69/1995 and 83/1996s Stipulate that where a petition for divorce is made under Article 104 (1), the court may discuss with the spouses separately or jointly and counsel them to renounce their intention to divorce. Article 105(3) In the event that the spouses did not show willingness to renounce their intention to divorce, the court may, having regard to circumstances, dismiss them giving a cooling period of not more than three months. But the law doesn't tell us how and who can cool the tension between them, it is the gap of our family code, hence as to my understanding if the court system properly support and use the profession of social worker it helps the client to mediate them and help the justice system.”

Key informants' interviewee PP1 also explain that:

“After those social workers their name called X and Y (their name changed for this study) resigned from the court, I don't have any information about activities of social workers in the case of victims or law offenders in both criminal courts. However if the service are properly run, the importance and benefits of social worker are unquestionable. Especially in case of crim-

inal act or victim cases, the presented case has to be proofed for the court by concurrent evidence. Or the case has to be proved beyond reasonable doubt, then the court award the defendant is guilty. The involvement of social work is necessary to provide strong evidence.”

4.7. Service Beneficiaries of Social worker in both courts

As per in-depth interview and key informant interviewee stated that:

“service beneficiaries of application of social work skill and knowledge are victim children, victim youth, juvenile law offender and family disputes like divorce and its consequences, like custodial issues, counseling’s, and in the high court gender issue like girls, women’s and their child’s are taken as a target groups.”

However the profession of social work expected to deliver additional services in the court setting, such as advocacy, when the conflict arise between two or more party to create smooth relationship needs mediation, counseling’s, forensic social report, case management, educating victim’s family, psychological therapy or serving in addicted person in the court. Therefore the researcher discovered that, in both courts the practice of social work is limited only for the best interest of the child in case of care. Therefore this is another gap for the current practice is going in the both courts.

4.8. Resources for social work practice in courts

As per practical observation findings of the study shows that: main resources for the practice are, materials such as computers, stationeries, and office furniture’s.

4.8.1. Qualification of social work professionals

The main resource for the service of social work are the professionals of social worker who are equipped, by knowledge and skill required for the service of social work. Unfortunately as we can observe from Demographic background information of in-depth interviewees show that except one of respondent the rest social workers are graduate in non-related fields. They are comes from the background of Economics, Law and Management.

The reason behind of this as Key informant Interviewee Pr.1 stated that:

“Due to court budget shortage we forced to assign other court staff to fill the gap we have in human resource of the professional social work. However to solve this problem for the coming budget year we allocate budget to employ new professional social worker.”

Therefore concerning resource of social work man power the researcher identifies that there is a serious gap in the court. Hence this is another cause for the lack of adequate service of social work in the court setting.

4.8.2. Training

Social work professionals in court setting need to get trainings before engaging in the practice due to the unique nature of social work service in courts makes basic legal knowledge imperative. Also on job trainings should be arranged in constant manner to upgrade social work practitioners' skill, also on job trainings are essential.

However from all in-depth interviewee informants, “in-depth interviewee sw1 and sw2 responded that they attended some trainings rendered by non-governmental organizations such as UNICEF and One point stop center.”

While in-depth interviewee sw3 and sw4 reveal that: *“we never attended any trainings which have direct or indirect relationship with the profession of social work”*. Therefore, this clearly affects the capacity of professionals and the quality of the service.

Therefore concerning training, the researcher found that there is a serious gap of skilled and trained social worker who is preferable for their role of undertaking assessment and intervention for the complex needs of their clients in a comprehensive manner.

4.8.3. Support system for social work practice and Referral system in the court.

One of the resource of the social work service is the support system or the support system is an interchangeable for the resource of social work service. As Mantle et al (2015) stated that

Individual social work professional can't satisfy the complex needs and complex problems of their clients, therefore professionals should use the available support system to address these problems.

All In-depth interviewee responded that: *"there is no available support system for social work practice in the courts setting."* That means practice of social work are not supported by the structure of the court.

4.8.4. Referral system in the court.

The other resource for social work practice in court setting is the referral system. As stated in the guideline of services of social workers provide in the court, they should also use the referral system to provide additional support for complex needs of individual clients. Because the referral system provides various service for the practice.

As Key informer Pr.1 stated that: "in case of victims complain like for sexually abused children and youths to get accepted result which presented for court as an evidence are primarily carry out by police, public prosecutor, social worker of the hospital and an NGO called "One stop center" which is located in Jimma university referral hospital and working in other health center."

Additionally all In-depth interviewee responded that: *"currently there is no available court supported or other stakeholders' collaboration referral system for social work practice in the courts setting."*

Also as In-depth interviewee 3 stated that: *"lack of social work involvement in the referral system highly affects different vulnerable individuals and groups, like concerning to psychological traumas, for those individual who needs special support like for deaf persons there is no a referral system in the court service."* However, as this In-depth interviewee 3 added that:

“Regarding to professional help such that; need of attorneys for those clients who can’t afford to pay social worker try to connect with attorneys’ who can help them freely, also regarding to other material and financial helps they connected with the city child and women’s affairs but this referral method differ from social worker to social worker as per their appetite to help the clients.” Although this nonstructural supported referral to vulnerable by itself, it depends upon the willingness of the social worker.

4.9. Office layout and arrangement of benches

In Jimma town woreda Court, Social Workers do not have their Separate rooms or a social worker has to share an office with other court staff. Also regarding victim child and a sensitive case of sexually abused benches in the old court building there is a room which the clients (child and his/her parents) have been waiting until they go and provide their witness separately. And in this room there is a different playing puppet, toy and other furniture and also in this class CCTV or close circuit television is installed. But now, this CCTV room is not connected with the new building which is serving the court now.

Also regarding separate trial benches for the victim’s child, young offender and other sexually abused cases, I observe that there is no separate trial benches. But in civil cases which is divorce, custody and maintenance issues, the court arrange all this cases to be seen in jointly which is called family benches.

However in case of Jimma Zone high court I observed that, relatively there is a separate and furnished social worker office. Furthermore concerning to victim child and a sensitive case of sexually abused case, there is a room which the child and his/her parents and other victim girls and woman’s have been waiting until they inter in to the witness room.

Also in this high court there is a room for abused children which contains different playing materials, toy and other furniture which make children feel happy and also in this class

CCTV or close circuit television installed. And this CCTV room is connected with the child and family benches. But until now social workers and court are not start using this room or it is not start serving victim child and other cases like sexual abuse due to lack of skilled and knowledgeable social workers.

4.9.2.Observation activity of social worker in the trial

As per my observation in the trial of both court and data gathered from the all key informants shows that: any crime cases weather victim adult, victim youth or victim child, child suspected to commit a crime and caught by a police are directly brought to court. Then the public prosecutor prepares a criminal charge against the suspect criminal or suspect adult and ask court for extra time for investigation. And then with police and public prosecutor organized their evidence against the accused one, when they finish organization of the evidence, opening a file against the suspect and bring the suspect to the court then the judge will read the charge to the suspect and if the accused person accept the open charge against him/her the following is decision of guilty.

But if the suspect person denies the accusation the judge orders the witness to be brought by the public prosecutor and hearing of the witness continue, after the hearing of witness complete if court assumed that the suspected person is criminal, the accused person ordered to bring his defense. Then if the accused person can't defend himself properly the court ordered plea of guilty against the accused one.

Hence in this all process I observe that there is no involvement of social work in both courts. Therefore, absence of practice of social work in the criminal benches are a serious problem, especially a crime committed against sexual abused children, young and other cases of child victims, crimes against insane and ill person help of social worker is very important because social worker can help the court as an agent between the victim person, youth or child and the court

and the public prosecutors like for expert witness, forensic social worker, counselor, and if the victim or suspected one needs help of psychological therapy and related issues social work can help them in connecting them to another institution or professionals. Also in case of juvenile and child offender involvement of social worker helps the court and the suspected child or juvenile to present corrective measures against accused one.

Therefore as to my observation in Jimma town woreda courts after the child diversion center closed and this center social worker released from the court, currently the court is not supported by social work, professional social workers in all criminal benches. Moreover in Jimma Zone High court, I never seen social work involvement in all trials of civil and criminal benches.

4.10.Challenges of social work practice and their causes

4.10.1.Inadequacy of resources

Concerning this in-depth interviewee SW2 reveal:” *that one of the challenges faced in social work practice is transportation because custodial issues requires visiting children and families at their home, so for that purpose it needs car or allocation of fund for transportation but this limitation of unsolved by the court.*”

Concerning degree of the challenges In-depth interview informant SW4 explained the degree of the challenges as follows: “In the launch of the service of social work started by the child diversion center or an agency called UNICEF but currently the service is taken one part of the court structure. This is due to its necessity of the practice for the court and for the justice system as a whole. However the service of the social work are not fully engaged in the court setting and the court does not have enough social workers. All these challenges show that service of social work is not run properly as it needed. Therefore we can say that social worker in the court setting is not that much functional because of the service does not get support and attention by concerned court official.”

Additionally Key informant interviewee reveal that: “After X and Y (their name changed for this study) resigned from the court, currently I don’t have any information about activity of social workers in the case of victims or law offender or at both criminal courts, that why in the criminal litigation we face challenge to get strong evidence especially in case of sexual abused and other child victim sensitive issues due to the limitation of professional social work in the court.”

4.10.2. Misunderstanding of the support of the social work profession for the court service

Additional challenge raised by In-depth interviewee sw3 stated that: “some judge’s/lawyers/ has not have full picture about the entire role and practice and its contribution of the social work for the court service, they think as we enter into their professional discretion, they underestimate support of social workers and this has become a challenge for social workers and the practice.”

4.10.3. Lack of training about the social work role and practice and its contribution for the court service

The other challenge revealed from the Key informant Pr.1 reveal that: “*the role of social work in the court is like custodial assessment issue and agency role during child victims’ testimony in the CCTV room.*” Hence from this informants we can observe that the gap of knowhow about the entire practice and services delivered by social worker.

Because the respondent miss the other practice of social work duty like, the case of law offender juvenile and victim women’s and other cases has to be supported by public prosecutors and attorneys, expert witness, case manager, counseling, mediation, advocacy. Hence this attitude assured that there is lack of training to aware about the role and support of the professions of social work in the court setting.

4.10.4. Social Workers and Interdisciplinary Collaboration with other justice organ

Also the other challenges of social work in the court system are lack of social worker collaboration with court/justice organ/ In-depth interviewee SW1 responded that:

“Except when the lawyer ordered them to assess and report about custodial cases or assessment of who has to be guardian of the child and reporting finding of the assessment they doesn't have any contact with other justice organs.” However social work practice require team work and collaboration with other stakeholders is indispensable to address social justice.

Additional sample given for in absence of collaboration by In-depth interview informant PP2 stated that:

“as a public prosecutors we need help of social work profession as a forensic social worker report, to use them as expert witness, to use them as an agent between victim and the court and they will help the public prosecutors in case of gathering real information from the sexually abused victims. Also the social worker interdisciplinary with police is important because a victim or compliant first appearance is at police station, so when a compliant bring his/her complain at police station a professional who can understand the pain, have knowledge of engagement and handle the case properly is required. But due to absence of collaboration between social worker and the justice organ a lot of victim cases miss to get justice or not presenting to the court for looking justice and a lot girls are forced to marry a suspected man /assumed criminal person/.”

Also he added that “if you have an opportunity to address this gap to the concerned organ please tell them this gap like, working social worker /expert/ relationship with justice organs like police, public prosecutors, lawyers is essential as they all work to ensure justice and helping for vulnerable group.”

Further In-depth interviewee sw3 stated that: *“they doesn't have any structural support for working with other justice organs.”*

Therefore as per finding of the research illustrate that, the practice of social workers collaboration with court and with other justice organs are poor or we can say that currently the collaboration of the profession of social work with other justice organ is nil.

Chapter Five: Discussion

5.1. Discussion

This chapter discusses the findings of the research presented in the previous chapter, based on the research objectives, the literature review and based on the four themes of the objective. Thus, the current chapter presents the discussion of these major themes by comparing the current research findings with results found in prior studies on the area.

The outcome of this study revealed that: the practice of social work is very weak, the service is not addressable to vulnerable one, there are serious gap of professional social work, the profession is not that much supported by court structure, there is also different challenges was identified.

5.2. Social Workers Role and practice in the family benches

In the court setting one of the role and practice of Social work, skill and knowledge applies are in the cases of family benches.

5.2.1. Practice of social work in the custodial cases

The data generated indicated that judges invite intervention of social workers for the custodial assessment and looking for reporting, result of the assessment to the family benches. This data supported the finding by Lewis (2009) which indicated that social worker provides services for children and family court advisory and support services and other works social workers care about the well-being of families, and because of their training and experience, social workers can offer valuable services to family courts, particularly in matters of contested child custody.

5.2.2. Practice of social work as a Counselor in the family benches

In Jimma town “woreda” courts, as per interview conducted with in-depth interview there is an attempt of counseling by one social worker but it is not supportive by court structure and judges are not consider social workers as a counselor, so involvement of social worker in counseling is too minimal and after the agency social worker release from the court, the service is al-

most nil, Hence finding of the research show that there is a minimal consistent with as Maschi, (2009) Social Workers can serve as a Counselor which includes psychosocial counseling, mediation, group counseling.

5.2.3. Practice of social work as a mediator in the family benches

As we can understand from the stated literature review one of the role of social workers in the family court is mediation. As well social worker serving as the family and divorce mediation due to the case have its own aggressive nature of litigation in divorce matter causes hostility between divorce parties as well as cause tension amongst family members therefore to alleviate this nature the collaboration of social workers with other professional mediation can help parties to reach a mutually satisfying agreement which recognizes the needs and rights of all family members (Dhaka, 2016).

Also before deciding divorce award the Oromia regional government family proclamation no 69/1995 and 83/1996 stipulate that where a petition for divorce is made under Article 104 (1), the court may discuss with the spouses separately or jointly and counsel them to renounce their intention to divorce. Article 105(3) In the event that the spouses did not show willingness to renounce their intention to divorce, the court may, having regard to circumstances, dismiss them giving a cooling period of not more than three months. This means the law looking alternative dispute resolution, hence if the court system properly support and use the profession of social worker it helps the client to mediate them and help the justice system.

In addition to that Johner & Durst, (2017) explored “Constructing Family from a Social Work Perspective in Child Welfare in Canada: Study findings suggest that social workers’ construction of family and the decisions they make about family life. This idea also supported by federal family code that; “family being the natural basis of society shall be protected by the soci-

ety and the state, and that is one of means of protection affected by regulating and governing family relation by law; (RFC, Proclamation No 213/2000, 2000)”.

Hence finding of the research show that there is little attempt of mediation in Jimma town worda court but it is not supportive by court structure and judges are not consider social workers as a mediator, so involvement of social worker in mediation is too minimal, so it is another gap of the finding. So the finding is not inconsistent with literature review and with federal and oromia regional state family law.

5.2.4. Practice of social work in using referral in case of family crisis

In most societies, the family is the primary unit of socialization, economic and social support for its members. When it is unable to fully carry out its functions, support and service to families in need becomes a priority area for the social work profession (Costello, 2003).

So as per in-depth interview of all informants and document review practice of social work in the referral system is professional need such that; for those clients who can't afford to pay for attorney social worker try to connect with attorneys' who can help them freely, also regarding to other material and financial helps they connected with the city administration child and women's affairs. But this referral method differ from social worker to social worker as per their appetite to help the clients. That's why referral system are not supported by the court structure. Because it depends upon the willingness of the social worker and the referral system is not networked with in the court and other stakeholders.

Hence finding of the study reveal that the finding is inconstant with Sable, (2016) Social workers give additional services for families using the referral system. When the assessment shows economic status of the family is the determining cause for the case in hand and social workers believe the reason for family disinformation is financial and the situation of the family

make children vulnerable to crimes social workers send clients to the referral system for economic and psychological support.

5.3. Practice of social work in different Criminal benches

Also in the criminal benches social workers role and practice is indispensable, because there are different cases which requires involvement of practice of social worker, they are:

5.3.1. Separate juvenile benches from the adult

The practice of Botswana is an interesting as per the Botswana's Children's Act of 2009 Establishes Children Court and this court 'shall be held informally and shall sit in a room other than that in which any other court ordinarily sits.' Attendance to the court is restricted to a) officers and members of the court; b) the child concerned and his or her parents, other relatives, or guardian; c) the social worker concerned in the case. The law encloses that social workers as critical in dealing with child related issues and views their participation as central to the resolution and adjudication of matters involving children (Lucas & Jongman, 2017).

Finding of the research is regarding separate trial benches for the victim's child, young offender and other sexually abused cases, I observe that there is no separate trial or benches for victim children, juvenile offenders and for sexually abused or the court handle the case in the normal criminal benches. But in civil cases which is divorce, custody and maintenance issues, the court arrange all this cases to be seen in jointly which is called family benches.

5.3.2. Practice of social work in the juvenile benches

In juvenile benches social workers play an essential role, in different cases, the following are some of practice of social work in the juvenile benches:

5.3.2.1. Practice of social work as intermediary and expert witness

Parker (2006) documented social workers role in the case of victim children is to help victim /witness children testify about the crime by making the court less formal and friendly. This helps children to express what has happened in their level of understanding as an intermediary social worker is expert in the area. Involvement of social workers help children to understand

the questions, come from the court room presenting the formal legal proceedings in a simple words which can easily understood by children.

Hence finding of the research with its limitation there was a little attempt as an intermediary and expert opinion until agency social worker (UNICEF) office of child diversion center in life, that is agency social worker in victim benches serve as intermediary agents between the court, and children who are victims of a crime and sexually abused children and youths, at the Jimma town woreda court.

5.3.2.2. Practice of social work in protecting victim children and sexually abused compliant from extra persecution.

Finding of the study show that to protect victims from another victimization in both court closed circuit television (CCTV) installed, to help the victim testify during the criminal prosecution on different offences especially sexual offences. But during my observation and in-depth interview with I found out that currently in both court there is no intervention of social work to protect victims from secondary victimization, also due to absence of this service and undesirable culture of the society in rape case, girls and women's feel shameful and fear to testify in front of the accused person. The current finding is similar with Parker (2006) social workers role in the case of victim children is to help victim /witness children testify about the crime by making the court less formal and friendly by acting as intermediary.

However, the current finding is inconsistent with as Mubarak (2013) quoted Pled stated that social workers have dual contribution on their involvement in victim bench. Social workers provide support to the court by helping the victim child to extract the truth about the allegations and also protect the child not to face secondary victimization or trauma in the courtroom.

5.2.4.3. Practice of social work in the correctional decision

As per in-depth interview and observation of closed file at jimma town woreda court, as per order of the judges in case of law offender's youth, a social worker to examine about the sus-

pect offenders past behavior, family background, his peers, report and expert recommendation for the court on what type of correctional measure should be passed by the court, like he has to join child diversion center or jailed. But accepting or rejecting the presented social workers report and recommendation are judge's discretion. This finding is inconsistent with as Robert & Springer (2007) documented, if the judge decide alternative correctional measure other than deprivation of liberty the child might be sent to social worker for mediation service. And if the social worker is successful in creating smooth relation between the victim and the child in conflict with the law, the judge will close the case without passing penalty.

5.2.4.4. Practice of Social work in educating sexually abused victims and their family

Accordingly, court social workers do not further treat families of sexually abused children. Due to lack of knowhow some times victim girls forced to conclude marriage between the suspect or law offender and victim one. For the reason that family of the victim girl think that, their daughter no attracted by other men, not acceptable by other men due to she was sexually abused.

Hence finding of this study was not inconsistent with as Alaggia, Lambert, Regler, (2009). parents whose children are sexually abused indicated in need of support and services for dealing with the aftermath of sexual abuse perpetrated on their children. It further indicated the works of Canadian Courts on protecting the parents are very limited.

5.2.4.5. Practice of Social work intervention strategy

As per in-depth interview and document observation all social worker does not have intervention strategy in both courts, consequently all of them are working as the way they think is best fit to solve the problem. Hence finding of the research are inconsistent with as Kanickairaj, (2020) Intervention is a strategy adopted by social workers to involve with individuals, families and groups to enable them to meet their needs and issues. The main purpose of interventions is to

aid clients in alleviating their problems and improving their well-being and healthy living, which in turn promotes peace, tranquility and good understanding. In working with families the intervention strategies adopted by the social worker often depend on the nature of problem and its dynamic impact on the individuals.

5.2.4.6. Practice of social work as forensic social work

One of the expected service from social work in the court setting are delivering opinion evidence, as their evidence is gathered through exhaustive social work forensic assessments. Similarly a literature by Joubert (2014). Forensic Social workers assist court personnel in court cases by means of testifying as professional experts and submitting social work forensic reports however to be a forensic social worker it needs specialty in forensic social worker. Finding of the study are not inconsistent with this literature because the data reveal that all social workers not performing as forensic social workers in both courts.

5.3. Practice of social work in the adult Criminal benches

In the criminal benches literature review state that role of social workers in courts working as criminal justice social worker is to balance the conflict between the public need to safety and needs of the offenders to address their bio–psychosocial needs. Here the ethical challenge for social workers is to weight the need of society and the justice system against those of the offenders (Wilson, 2010).

However the researcher finding that in this research area involvement of social workers is limited only to the child victim and juvenile offender benches only, This result is same with those different local research done by Marishet,(2013), sable,(2016), sitiyana,(2017), Mubarek,(2013) and Getachew,(2019).

5.4. Application of social work skill and knowledge in the court

Application of social work skill and knowledge of social work in the court setting increase service of the court by different angles, they are:

5.4.1. Benefits of application of social work skill and knowledge in the court

As per the collected data sources of in-depth interview and from key informants as well as assessment of documents and systematic observation of the actual practice reveal that, the following results concerning to the importance and benefits of the practice of social workers' to the court, in case of victim children, youths, women's, law offender juvenile, for child custody, for mediation like for divorce dispute and counseling for victim's who feel depressed or traumatized, for advocacy, for educating family of the victim especially in case of sexual abused.

This is in line with UK the profession of social work playing a countless role for the ensuring social justice like that for adult undertaking comprehensive and holistic assessments as required under legal frameworks, formal report on the social circumstances of an accused or convicted person or a mental health patient, or of someone who lacks mental capacity. For children & family to assess, review and provide help to a child, family or career with complex family or social care needs, taking full account of appropriate legal frameworks, policy and guidance., Also social workers can serve as Forensic social workers, serve as psychotherapist, mediators, case managers and facilitators in the court setting (Guide, 2014)

5.4.2. Application of social work skill and knowledge in the court helps to improve service quality of the court

Also helps the court by minimizing work load of lawyers like custodial assessment report, due to their special skill increase capacity of courts, increase quality of service, especially in case of sexually abused child and youths; because naturally children can't express what was happen up on them and how in a clear language or Sexually abused children don't always articu-

late their abuse experience openly before the court and to excel, social work service in court setting are essential to work in collaboration with the available resource. This helps to increase diversity of the service and to promote its quality.

The finding show that, actual service of social work in the ground was too minimal. Even the current service was not addressed for all vulnerable individual or groups. Thus this finding are inconsistent with Sable, (2016). Role & contribution of social work in Lideta federal first instance court, the main targets of the social work practice in courts are children. And they get the services in three benches; the victim bench, children in conflict with the law bench and custody service in family bench.

5.4.3. Social work service beneficiaries

In general the profession of social work expected to deliver advocacy, when the conflict arise between two or more party's to create smooth relationship needs mediation, counseling's, forensic social report, case management, educating victim's family, psychological therapy or serving in addicted person in the court.

However the researcher finding are service beneficiaries of social workers are only to the child victim and juvenile offender benches only, This result is same with those different local research done by Marishet,(2013), sable,(2016), sitiyana,(2017), Mubarek,(2013) and Getachew,(2019).

5.5. Social Workers and Interdisciplinary Collaboration with other justice organ

From a systemic perspective (Marton1965), the greatest benefit of service coordination and integration is to eliminate duplication of services, which can be costly both from a dollars and-cents standpoint and in terms of wasted resources. Additionally, increased communication among and between agencies along the service delivery continuum enhances ability to: Reduce barriers to services; effectively respond to problems within the service delivery system; effec-

tively implement standards and quality improvement measures; and perform evaluations of service delivery outcomes.

Social workers are also expected to work alongside with other professionals by taking the lead in helping children adults and families to improve their life's and gain control to provide divers and multidisciplinary service as they are collaborative professionals (Moriarty, Baginsky, & Manthorpe, 2015). Similar to this Fred Mayhew (2012) mentioned social workers need to work in collaboration with multidisciplinary organizations winch create an opportunity to use different integrated professions and professionals to their service.

Consequently Given the resource limitation the court and the social work unit mentions, and different types of challenges in using the referral system social workers need to adopt innovative skills to access the available resources around. As Mantle (2015) mentioned, in addition to their collaborative role working alongside other professionals and using interdisciplinary service social workers working under legal setting have to use an interdisciplinary and distinct range of legal and social work knowledge and skill to help people make change in their lives and to get the outcome needed.

Hence the finding of the study reveals that, collaboration mechanism is poor or we can say that it is nil. Also the finding claim that the researcher to address this gap to the concerned body like; essentiality of social worker /expert/ collaboration with justice organs like police, public prosecutors, lawyers due to they all work to ensure justice and helping for vulnerable group. Therefore up to those all drawbacks of collaboration to be rectified, social worker has to promote their major profession. The finding was in line with sable, (2016). Until limitations of the referral system are solved and procedures and standards of the services in the referral system become

clear, social work Practitioners have to use their innovative skill to use services in the referral system to provide additional support to their clients

5.6. Resource and Support system for social work service in courts

To deliver application of social work skill and knowledge in the court setting, resource and support system by court and other respected organ has to be fulfilled, they are:

5.6.1. Qualification of social work professionals

The major resource for social work practice in the court, are availability of qualified human resource that means professional social worker, who equipped by knowledge and skill required for the service of social work. Hence finding are unfortunately in both courts most of the social workers are graduate in non-related fields.

5.6.2. Available material resource of social work professionals

The finding of the study reveals that, materials, like computer, stationeries, office furniture. Hence finding reveals that availability of resources to provide required for professional's social workers.

5.6.3. Training for social work professionals

Social work professionals in the court setting, need to get trainings before engaging in the practice, the unique nature of social work service in courts creates basic legal knowledge imperative on job trainings should be arranged in constant manner, to upgrade social work practitioners skill on job trainings are essential.

Finding of the study show that, lack of training, that's why there is a serious problem of skilled and trained social worker in the court.

5.6.4. Support system of Referral system in the court

The other resource for social work practice in court setting are the referral system. Because, to provide additional support for complex needs of individual clients and to render quality services. Thus the finding of the research reveal that, there is an attempt referral practice by some

social worker, but that referral system is not supported by the court structure or the referral system was not networked with in the court and other stakeholders. Thus the finding was not inconsistent with as Mantle et al (2015) indicates working with other concerned agencies is important for social workers. And using referral by sending their client to statutory and voluntary agencies for founding, consultation, work with behavioral problems and family support add value to their service

5.7.Challenges of social work practice and causes of these challenges

In this study the researcher found that different challenges, some of them are the following:

5.7.1. Inadequacy of resources

To deliver expected service of social work within court and out of court financial resource, transportation are one of the major resources, hence the study reveal that one of the challenges faced in social work practice are; lack of finance for allowance of social work, transportation, since during custodial subjects requires visiting children, families and other clients at their home, so for that purpose it needs car or allocation of fund for transportation.

The other challenges are absence of professional social worker are one of the major drawbacks. This finding was not in line with those different local research done by Marishet,(2013), sable,(2016), sitiyana,(2017), Mubarek,(2013) and Getachew,(2019).

5.7.2.Misunderstanding and lack of awareness about the support of the social work profession for the court service

To deliver effective and sustainable practice of social work in the court setting, it needs good understand about the benefits and support of the profession by court official and lawyers.

However the research result show that, due to Practice of social work in the court was launched by the child diversion center by the support of UNICEF, and this service are considered as a duty of international organization or agency role by the court officials. So that, after this agency terminated the program, delivering full service of social work in the court setting was difficult by the court due to misunderstanding of courts official.

The finding of this study indicated that the other misinterpretation about practice of social work was attitude of lawyers/Judges/ about benefits of social work. Some lawyers consider that practice of social work is just only assessment of custodial disputes of children. So this finding are inconsistent with as sable, (2016). Challenges of social work practice are mainly centered on the following issues- resources, misperception/low attention given for the contribution of the unit by court officials, limitation of clients' awareness about the role and contribution of social work service, and the other stress outlet/management mechanisms including lack of training for social work professionals.

Chapter Six: Conclusion and Implications

6.1. Conclusion

This study provided insight about the roles and practice of social worker the case of Jimma town woreda court and in Jimma Zone high court. The study explore the roles of social work in the court, investigate social work application of skill and knowledge in court setting, explore the beneficiaries of social work practice in the court and explore the challenges and prospects of social work practice in court setting the case of Jimma town woreda court and in Jimma Zone high court.

The finding of the study revealed that social workers have different roles such as youth, children in contact with justice, intermediary role between child and court, alternative punishment report for the court, family crisis intervention, custodial assessment report, advocacy, mediation, counseling, forensic social work, psychosocial support and, educating families.. However practical social work application of skill and knowledge in the ground was stick on the family disputes and it's consequence like working on custodial assessment and intermediary role. And concerning victim children's social worker was serve as an expert witness, facilitators, counselor, but after agency social worker release from the court this service was closed and the court plan to start in the coming year.

Consequently regarding to juvenile law offenders, social worker was serve as a facilitator and before decision of court award has given, upon request of court, social workers report alternative correctional suggestion to the .

Application of social work skill and knowledge in the court service, enhance the courts service, minimizing lawyers work load, increase quality of the court service, like quality of decision, makes court friendly for the victim children, sexually abused children, add expertise for the

court. However due to lack of professional social worker in the court setting a lot of vulnerable and court miss the service of social work.

Also the findings of this study revealed that there is a serious gap in case of family litigation, crisis intervention, mediation, advocacy, counseling, referral support in both courts.

Similarly the study result was, after the agency social worker released from the court, concerning to any crime act, child friendly court practice was closed and service of social work are not operationalized.

The other finding was:

Due to different factors, practice of social work has serious gap in both courts, for this gap there are different reason and challenges identified; The first challenge are professional gap, that means those assigned social workers are not graduate of social work or they comes from non-related fields that's why they are not capable to deliver efficient and effective service of social work, also they don't have job description and guidelines, and also to fill this gap they didn't get enough training from concerned bodies.

The other challenge are lack of structural support from court to the social workers, low awareness of court official about the service and contribution of social work in the court, less attention given for the practice of social work, incorrectly understand service of social work are like duty of international organization.

The other challenges are low awareness of lawyers/judges/ about role and contribution of social work for the court, that's why except child custody issues social worker are not offered to support and to intervene in the proceeding case at court.

The other challenges of this study discovered that, some social workers are not happy to serve as a social workers, not ready to engage on the service, waiting order from their authority,

from lawyer rather than introducing their profession and their role and contribution for the justice to the court staff and stakeholders.

6.2. Implications

Social workers are also expected to work alongside with other professionals by taking the lead in helping children adults and Families to improve their life's, also social work practice in the court: which is in any way is related to legal issues and litigation, both criminal and civil. Child custody issues, involving separation, divorce, neglect, termination of parental rights, the implications of child and spouse abuse, juvenile and adult justice services (Sinha, 2019).

Finding of this study reveal that there are some involvement of social work practice in the court setting. Particularly child custody issues, which is identifying best interest of the child and reporting the finding to the court. Similarly there was social work service in the victim children, youth and law offender juvenile cases but this service was too minimal or currently it is possible to say that: the service was not operational. Consequently the finding reveal that, there is a serious gap and limitation of application of social work skill and knowledge in the court setting in both courts. Therefore, the existing gaps on practice need to be approached from different methods, like Social work, Education, Research, and policy.

6.2.1. Implication for social work practice

The research finding show that most of the assigned social worker have serious professional gap because most of the practitioner does not have knowhow that much about role and practice of social work in the court setting. So before engaging in to the practice of social work competency of skill and knowledge of profession of social work are compulsory. That why application of social work skill and knowledge in the court setting impossible.

One of the other gap of this study was service beneficiaries of social work is limited to the children cases only, this practice was missed the entire service of social work has to be contribute for the court system and for justice system. So the practice has to include other services delivered by the social worker in the court setting.

The other cause was practice of social work are not supported by court structure, there is awareness gap by the court official and lawyers about role and contribution of social work for the court system.

Social work collaboration with other stakeholder's is too minimal. Also there is financial and transportation resource limitation, likewise there was a gap of structurally support for referral system. Therefore the concerned higher officials should give expected attention for the service of social work; like hiring professional social worker, preparing different social work course training for social workers and facilitating different training about role and contribution of social work for the court staff. Facilitating using the referral system with other stakeholders.

6.2.2. Implications for social work education

The research findings show that the role, practice and its contribution of social work profession for the court does not get attention it deserves. Whereas there is a serious problem which search for help of social work profession in the court. Because the profession providing an enormous support for the court and for the entire justice system. But all court staff have not equal understanding about the practice and its contribution of social work for the court due to weak advertising of the practice and its contribution.

The other implication is serious gap of training for the assigned social worker, besides most of lawyers have not taken about the contribution of practice of social work for the court system. Also there is wrong attitude about active proceeding case by some lawyers/judges/ as-

suming that offering social workers on the file is like affecting professional discretion. Due to this gap on the practice, proposes intervention of social work education. Also as per the structure of the courts boxes for the profession of social work the service has to be integrated in all benches like, criminal and civil benches.

Likewise Jimma university school of social work has to work within both courts, like Addis Ababa University are working with federal high court and federal first instance court is doing, also should work on promoting the role and contribution of social work profession for all justice stake holders. On the other hand upgrading skill of the professionals through continuous on job training is recommended. In addition to this facilitating short term training for the court officials, lawyers, public prosecutors and for the police about the practice and contribution of social work mandatory to promote the profession and its contribution for the quality justice system. Similarly School of Social work has to facilitate free social work advisory center like, Marriage and Divorce advisory, counseling and Mediation Center in both courts.

This all are expected from Jimma University as motto of the university said we are in the community for the community.

6.2.3. Implication for Research

This study explored the current role and practice of social work in the court setting in Jimma town woreda court and in Jimma zone high court. To the best of my knowledge, I have not seen any research particularly in the study areas focused on over-all social workers application of skill and knowledge, challenges and prospect of social work practice in court setting.

This study will serve as an ice breaking step for further research, on the study area to improve over-all service delivery of practice of social work practices and to diminish the challenges they faced in the court setting. Also effectiveness of the practice of social work in the court set-

ting has to be need further research. Therefore, I believe that there need to be rigorous research and detailed studies on areas like: professional standard, skill and capacity, values and ethical principles of social work in the court setting by using different research approaches to validate this study.

6.2.4. Policy implication

In our legal system like; the FDRE constitution recognizes fundamental right and freedom, human, right to security, Prohibition against Inhuman Treatment, Right of Persons Arrested, All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, color, sex, language, religion, political or other opinion, property, birth or other status, right best interest of the child, its implementation will be done through detailed rules and regulations under different ministers. Also protection of marriage and its fruits, similarly the federal criminal code and its procedures does not include role and practice of social work it contributes for the court and entire justice system.

In addition to that, since our country incorporated international laws and right in our constitution, implementation on the ground has to be get attention. Therefore, concerned bodies should consider including application of social work skill and knowledge of social work practice, values and ethical principles of social work in the court, also professional social workers has to be included or participate in the policy making process.

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ANNEX: A

BUDGETING AND SCHEDULING THE RESEARCH PROPOSAL

A. Research Time Table

S.No	Activities	Oct.	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1	Specifying the Area of the study	→									
2	Title Selection	→	→								
3	Literature Review										
4	Preparing the Proposal				→	→	→				
5	Data Collection								→	→	
6	Data Editing								→	→	
7	Data Analysis								→	→	
8	Conclusion of the Findings									→	→
9	Recommendations								→	→	
10	Submission & Presentation of the Study										→

Budget

Cost required for thesis /research work

No.	Activities	Specification	Number	Amount	Unit-cost (Birr/day)	Total cost by birr
	periderm cost	Researcher	1	16 days	500	8000
2	Transport cost	Researcher	1	16 days	800
3	Stationery cost	Stationary & Printer				1000
4	Communication Cost	Telephone, Internet				1000
5	Total					10,800

ANNEX: B

Consent form

My name is Mohammedkebir Hassen; I am a post graduate student of social worker at Jimma University. For the purpose of partial fulfillment for my master's degree, I am conducting a research on the practice of Social Workers in the court setting. The aim of this study is only for academic purpose. The study covers throughout court trial of the role, practice, challenges affects service of social worker and attitudes of judges and other court staffs towards the service of social workers in the court setting. This is to assure your understand the purpose and is willingness to take part in this study. I would like to inform you that the information you provide for this study through participating in this research is of vital importance to unleash the existing circumstances in the role the professionals acquire. While you are reading this, it is important to make you aware that it is voluntary and you are free to withdraw at any time and can avoid any questions that you feel uncomfortable with.

Though being part of the study, your identity will be revealed in circumstances it is mandatory to cite the source of data. There will be no incentive entitled to your participation.

Following your understanding on the terms and conditions, please assure your willingness to take part in this study through putting your name & signature.

Name: _____

Signature _____

Date _____

ANNEX: C

Interview guide

Interview guide for in depth interview for social worker

General information: background

a. Gender _____

b) Educational background: _____

c) Position: _____

d) Work Experience on the position or related position: _____

1. Interview questions related with roles and practice of social workers

- What are the roles you practice in the court?
- How important do you think the role of social workers in court setting?
- Is there a job description? If yes what are they?
- Who are clients of social worker?
- What kind of services is given for the clients by the social worker?

2. Interview questions related to target service users of social work service in courts

- Who are the target groups of social work service on courts?
- Do you believe that all target groups are included in the service?

3. Interview questions related Intervention Mechanisms

- What type of intervention mechanism is taking for victim child?
- What type of intervention Mechanism you use for Child in conflict with law?
- What type of intervention mechanism you used for family conflict like for divorce issue?

4. Is there a referral system? If your answer is yes: how do you explain the referral system?

- What are the benefits of the referral System for social work practice?
- For what cases social workers use the referral system?

5. Interview questions related Challenges of social work practice in the courts

- Is there a challenge that makes practice of social worker in courts difficult? If yes what are the challenges?
- What are the causes of these challenges?
- How do you try to deal with the challenges?
- What type of actions has been taken to solve these challenges?

6. Interview questions related with the collaboration of the social worker with coworkers

- What is the practical experience of the collaboration between the social worker and judges?
- What is the attitude of lawyers and other court staff about the roles and helps of social worker for the court and clients?
- What is the practical experience of the social worker working in alliance with the police, public prosecutors and lawyers?
- Dose the social worker has a trend to promote/ awareness creation/ about the role, duty and service of the social workers for the clients? If not why?

7. I finished my question but if you want to say anything or want to add pleas?

Thank you for your participation!

Interview guide for Key informants of the court/ lawyer

Background information of the informants

A). Gender _____

B). Educational background: _____

C). Position: _____

D). Work Experience on the position: _____

1. Interview questions related with roles and duties of social workers

A. How do you see importance of social workers in the court setting?

B. How do you see the contribution of social worker for the court?

C. What type of services is given for the clients by the social worker?

D. What kind of opportunity do you think does the involvement of social workers in the court created?

E. is there any services of social worker you suggest to be added?

2. Questions related with the practice of social worker in delivering service under the court Setting?

A. How do you express the importance of the actual service delivered by the social worker?

B. Did you take recommendation of social worker as a major one for the final award of the case?

C. Do you believe that social worker is serving the Clint properly?

D. Is there an assessment tool of the social worker service performance and effect of their practice? If is there, what are evaluating criteria to evaluate the practice of social workers?

E. Did you take any training before about the contribution of the social worker for court setting and on the issue child development stages?

3. Interview questions related with the collaboration of the social worker with coworkers

A. What would you say about relationship between social workers and legal Professionals in the court?

B. Do you consult with social workers in case of child victim?' Child in conflict with law and family litigation issue about like referring and case assessment?

C. How do you see social worker report skill in case of family assessment, victim child and child in conflict with law cases?

D. Do you receive social workers as an expert witness?

E. did you think that other court employees know about the roles and contributions of social worker?

4. Interview questioners related to Challenges of social work practice in courts

A. Did you think that there is a challenge which affects practice of social work in the courts?

If yes what are the challenges?

B. what are the main causes of this challenges?

C. what is your recommendation type to solve these challenges?

D. Finally if is there anything you want to say?

Thank you for your participation!

During Observation the following will be seen

1. The way of communications of social workers with victim children, child in conflict with law, with other clients and with legal professionals?
2. Family bench
3. Minutes & Reports
4. Job description of social workers
5. The office layout of social worker and what looks like is the child friendly court room setting, like the availability of bicameral room? And related issues.
6. Some purposively selected settled files.