

Read Book The Scottish Children's Hearing System In Action

The Scottish Children's Hearing System In Action

This comprehensive reference work presents inside information on the Juvenile Justice-systems in 19 different countries, both in old and new EU-member states and in the United States and Canada. The book is the result of research conducted by a group of outstanding researchers, who are concerned about trends in Juvenile Justice in the last two decades, which blur the border between criminal and juvenile justice.

What practical impact does the incorporation of international human rights standards into domestic law have? This

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collection of essays explores human rights in domestic legal systems. The enactment of the Human Rights Act in 1998, ushering the European Convention on Human Rights fully into UK law, represented a landmark in the UK constitutional order. Other European states similarly have elevated the status of human rights in their domestic legal systems. However, whilst much has been written about doctrinal legal developments, little is yet known about the empirical effects of bringing rights home. This collection of essays, written by a range of distinguished socio-legal scholars, seeks to fill this gap in our knowledge. The essays, presenting new empirical research, begin their enquiry where many studies in human rights finish. The contributors do not stop at the recognition of international law and norms by states, but penetrate the

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internal workings of domestic legal systems to see the law in action - - as it is developed, contested, manipulated, or even ignored by actors such as judges, lawyers, civil servants, interest groups, and others. This distinctly socio-legal approach offers a unique contribution to the literature on human rights, exploring human rights law-in-action in developed countries. In doing so, it demonstrates the importance of looking beyond grand generalities and the hopes of international human rights law in order to understand the impact of the global human rights movement. Media and Entertainment Law presents a contemporary analysis of the law relating to the media and entertainment industry both in terms of its practical application and its theoretical framework. It provides a clear, current and

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comprehensive account of this exciting subject. Fully updated and revised, this second edition is one of the first texts to contain a full analysis of the Leveson Inquiry and the implications for our press and media that are arising from it. The new edition contains; a new chapter analysing the Defamation Act 2013; the Digital Economy Act 2010 which aimed to toughen up against copyright infringement online and has been subject to parliamentary review since coming into power; and the liability of internet service providers, including recent cases such as Tamiz vs Google 2012, which goes some way to define the extent to which an ISP may or may not be found liable for their bloggers content. With integrated coverage of Scots and Northern Irish law, Media and Entertainment Law also highlights comparisons with

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similar overseas jurisdictions, such as with the liability of ISPs where there are differences in both US and European law, in order to help students demonstrate an awareness of media laws, which may then influence UK legislation. Looking at key aspects such as TV and radio broadcasting, the print press, the music industry, online news and entertainment and social networking sites, this text provides detailed coverage of the key principles, cases and legislation as well as a critical analysis of regulatory bodies such as OFCOM and the new regulator for the UK's newspapers and magazines (and online editions), the Independent Press Standards Organisation (Ips0). The text also provides the most comprehensive and up to date coverage of the law relating to Intellectual Property law for the entertainment industry with recent changes in EU

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law relating to performers' rights. See what goes behind the writing of Media & Entertainment Law:

<http://youtu.be/XiCGmnRDvb0>

Scottish Children's Hearings System in Action

Children and Young Persons Scotland

The Scottish Children's Hearings System in Action

The Power of Law in a Transnational World

Children, Autonomy and the Courts

International Handbook of Juvenile Justice

Effective social work practice relies on good understanding of the law along with the skills to use this knowledge well. This essential book provides a wide-ranging thematic account of social work practice in

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Scotland, making critical links between concepts, the contexts of practice and first-hand experiences of Scottish social work law. The book covers important subjects such as: - Service user and carer rights - Legal and social work values - Accountability - Effective assessment - Safeguarding, risk and protection - Youth and adult criminal justice - Partnership, participation and advocacy - Delivery of personalised services Social Work and the Law in Scotland is core reading for all those undertaking academic study or professional practice within the field. It is also a key resource for anyone looking to update their knowledge on the nature and development of the ever-

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evolving legislative landscape of Scotland. New to this Edition: - Fully updated to incorporate changes to Scottish law impacting on groups of people who are at risk and personal and community care - Combines fully updated chapters by some of the original authors with newly commissioned pieces - Reflects the pace of change in the law since the previous edition

Law and Anthropology, the latest volume in the Current Legal Issues series, offers an insight into the state of law and anthropology scholarship today. Focussing on the inter-connections between the two disciplines it also includes case studies from around the world.

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How does the law deal with young offenders, and to what extent does the law protect and promote the rights of young people in conflict with the law? These are the central issues addressed by *Young Offenders and the Law* in its examination of the legal response to the phenomenon of youth offending, and the contemporary forces that shape the law. This book develops the reader's understanding of the sociological, criminological, historical, political, and philosophical approaches to youth offending in England and Wales, and also presents a comparative review of developments in other jurisdictions. It provides a comprehensive critical analysis

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of the legislative and policy framework currently governing the operation of the youth justice system in England and Wales, and evaluates the response of the legal system in light of modern legislative framework and international best practice. All aspects of trial and pre-trial procedure affecting young offenders are covered, including: the age of criminal responsibility, police powers, trial procedure, together with the full range of detention facilities and non-custodial options. *Young Offenders and the Law* provides, for the first time, a primary source of reference on youth offending. It is an essential text for undergraduate and postgraduate students

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of Law, Criminology, and Criminal Justice Studies.

Children's Hearings in Scotland

Introduction to the Scottish Children's Panel

Social Work with Children, Young People and their Families in Scotland

Redressing the Democratic Deficit

Contradictions Inherent in the Children's Hearing System

Media & Entertainment Law 2/e

An overview of trends in crime and criminal justice in Scotland. Based on research carried out for the Scottish Office Central Research Unit, this text describes the distinctive features of the Scottish criminal justice

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process and penal system and illustrates long-term changes in patterns of recorded crime in Scotland. The indigenous institutions of criminal justice are covered, including descriptions of the Scottish system of policing and public prosecution, criminal procedure, the criminal courts, bail and legal aid, sentencing trends and procedures for dealing with miscarriages of justice. The use of penal sanctions is explored, including a description of how prisons operate in Scotland, of the type of offender most likely to be sent to prison and of recent changes in prison regimes. The book also considers the unique Scottish Children's Hearing system and provides an account of the recent changes that have

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affected it.

This book is an examination of recent developments in the areas of youth justice and child protection. It investigates how well young people and the societies in which they live are served by judicial and service systems. Consideration is given to those in care - in young offenders' institutions, foster families and residential homes - as well as those living with their families. A broad range of international experts discuss the largely segregated youth justice and children's legal and service systems in England and Wales, other parts of Western Europe and the US, and compare these with Scotland's integrated system. The implications of these

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arrangements are considered for the rights of children and parents on the one hand and society on the other. The contributors also provide insights into the rationale for current and proposed policies, as well as the efficacy of different systems. This book will be an important reference for policy-makers, social workers, lawyers, magistrates and equivalent decision makers, health professionals, carers, and all those working in youth justice and child protection. It is highly relevant for academics and students interested in children, citizenship, youth crime, child welfare and state-family relations.

Based on key research into assessment, treatment and

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recidivism, this book offers practical guidance on improving intervention techniques with sex offenders. The contributors explore the monitoring and surveillance strategies and cognitive-behavioural techniques currently used both in prison and in the community, and give clear directions for future practice. Providing a detailed overview of the typologies and characteristics of offenders, they suggest strategies for managing different kinds of offender, including children and young people who are sexually aggressive. The Sex Offenders Act and the Crime and Disorder Act emphasise the need for effective community management of the predatory paedophile. Reviewing the recent growth in multi-agency

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approaches to this challenge, the book discusses how police, prisons and social work departments can share information and collaborate effectively, and will be essential reading for probation officers, prison staff, social workers and anyone involved in the assessment and management of sex offenders.

Social Work and the Law in Scotland

The Children's Hearing System in Scotland

Juvenile Justice

Anthropological Enquiries

How the Law Responds to Youth Offending

A Commentary on the United Nations Convention on the Rights of the Child, Article 3: The Best Interests of the

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Child

This unique book makes explicit what those involved with the children's hearings system really need to know to achieve their aims. It comprises two case histories - one of the "alleged offences by the child" type and the other a "care and protection" one, reflecting the dual nature of the Scottish system. Each case is traced from the outset through the hearings procedures, into the sheriff court and final disposal by hearing, with possible appeal to the sheriff against the decision of the hearing.

Recoge: Power of law as discourse - At the intersection of legalities - Religion as a resource in legal pluralism.

Kenneth Norrie traces the assumptions that underlay child protection law at particular periods of time and

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identifies the pressures for change - giving a clearer understanding of how and why the contemporary law is designed and operates as it does.

The Kilbrandon Report

Freeman Article 3: The Best Interests of the Child

Law and Anthropology

Current Legal Issues

Beyond the Right to be Heard

The Children's Hearing System

This fully-updated and revised third edition addresses the changes to law and practice in relation to adoption and permanency, the children's hearing system

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and the implications of the provisions of the Children and Young People (S) Act 2014 and other related matters, including the National Practice Model of GIRFEC. This is the only text to provide coverage of the new legal, policy and practice landscape of social work with children and families in Scotland, and as such, it is an indispensable guide for students, newly-qualified social workers, managers and practice teachers and a range of other professionals in health, education, the police and others in cognate disciplines.

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This book approaches law as a process embedded in transnational personal, religious, communicative and economic relationships that mediate between international, national and local practices, norms and values. It uses the concept "living law" to describe the multiplicity of norms manifest in transnational moral, social or economic practices that transgress the territorial and legal boundaries of the nation-state. Focusing on transnational legal encounters located in family life, diasporic

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religious institutions and media events in countries like Norway, Sweden, Britain and Scotland, it demonstrates the multiple challenges that accelerated mobility and increased cultural and normative diversity is posing for Northern European law. For in this part of the world, as elsewhere, national law is challenged by a mixture of expanding human rights obligations and unprecedented cultural and normative pluralism enhanced by expanding global communication and market relations. As a consequence, transnationalization of law

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appears to create homogeneity, fragmentation and ambiguity, expanding space for some actors while silencing others. Through the lens of a variety of important contemporary subjects, the authors thus engage with the nature of power and how it is accommodated, ignored or resisted by various actors when transnational practices encounter national and local law.

An outline of the Scottish system of justice for children and young people and its underlying philosophy written by an

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expert in this field under the following chapter headings: 1. Children in Trouble in Scotland 2. Community Responsibility 3. The Children's Panel: Community in Action 4. Lay People and Professionals 5. Children's Rights 6. A Solid Foundation for Care: Grounds Firmly Established 7. Care Through Social Responsibility 8. Voluntary and Compulsory Supervision 9. A Snapshot of the Daily Life of the Children's Panel: Fife Child Care Inquiry 10. The Scottish Children's Panel and Europe. Plus a Glossary of Terms and a

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brief Bibliography.

Law for Social Workers

Youth Justice and Child Protection

History of Scottish Child Protection Law

Criminal Justice in Scotland

The Children's Hearing System In Scotland

Children first, offenders second

This unique book makes explicit what those involved with the children's hearings system really need to know to achieve their aims. It comprises two case histories - one of the alleged offence by the child type and the other a care and protection one, reflecting

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the dual nature of the Scottish system. Each case is traced from the outset through the hearings procedures, into the sheriff court (with legal argument and a partial transcript of the proof before the sheriff) and final disposal by hearing, with possible appeal to the sheriff against the decision of the hearing. At appropriate points commentary is inserted in order to explain what is happening and why. Written in a readable and entertaining style, the title also contains:

- Completed forms for use in relation to hearings and court proceedings arising out of hearings, with guidance on good practice in

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relation to the various procedures
Meticulously referenced footnotes – which
keep the text itself easy to read, but ensure
that the detail is not lost Appendices
containing specimen documents which are not
reproduced elsewhere, eg police reports and
social enquiry report

The fourth edition of this popular text has
been expanded to accommodate social workers'
continuing need for a thorough grounding in
the statutory framework of local authority
practice and the wider legal context of
social work in the statutory and voluntary
sectors. The separate chapter on social work

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law in Scotland addresses continuing developments in relation to devolved government and new legislation. Since 1996, the pace of change has been remorseless. Part IV of the Family Law Act has been implemented; youth justice in England and Wales has been substantially reformed; the Human Rights Act 1998 impacts on areas of social work practice; and social security law has been significantly amended. The Adoption and Children Act 2002 will both radically reform the law relating to the adoption of children and significantly amend the Children Act 1989. All these important changes,

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central to social work practice, are addressed in detail.

A selection of papers presented at the international conference, Leuven, May 12-14, 1997.

International Perspectives, Models and Trends
On the Governance of Law

Children's Hearings

Children and Young People Who Sexually Abuse
Others

Memorandum of Comments on the Scottish
Executive Consultation Paper Review of the
Children's Hearing System, Getting it Right
for Every Child (July 2004).

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Decision-making without accountability. An examination of the potential use of the techniques of cost benefit analysis in the Scottish Children's Hearing system

The existence of the separate criminal jurisdiction in Scotland is ignored by most criminological texts purporting to consider crime and criminal justice in 'Britain' or the 'UK'. This book offers a critically-informed analysis and understanding of crime and criminal justice in contemporary Scotland. It

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considers key areas of criminal justice policy making in Scotland; in particular the extent to which criminal justice in Scotland is increasingly divergent from other UK jurisdictions as well as pressures that may lead to convergences in particular areas, for instance, in relation to trends in youth justice and penal policy. The book considers the extent to which Scottish crime and criminal justice is being affected both by devolution as

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well as the wider pressures resulting from globalization, Europeanisation and new patterns of migration. While the book has a Scottish focus, it also offers new ways of thinking about criminal justice – relating these issues to wider social divisions and inequalities in contemporary Scottish and UK society. It extends the 'gaze' and analysis of criminology by exploring issues such as environmental crime, urban disorder and the new

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urbanism as well as crimes of the rich and powerful and corporate crime, giving it a relevance and resonance far beyond Scotland. Criminal Justice in Scotland will be an essential text for students in Scotland taking courses in criminology, sociology, social policy, social sciences, law and police sciences, as well as criminal justice practitioners and policy makers in Scotland. It will also be an essential source for students of comparative

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criminology elsewhere and academics wishing to take Scotland into account in thinking about criminal justice in the UK.

Offering an anthropological perspective, this volume explores the changing relations between law and governance, examining how changes in the structure of governance affect the relative social significance of law within situations of legal pluralism.

The authors argue that there has been a

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re-regulation rather than a de-regulation, propagated by a plurality of regulative authorities and this re-regulation is accompanied by an increasing ideological dominance of rights talk and juridification of conflict. Drawing on insights into such processes, this volume explores the extent to which law is used both as a constitutive legitimation of governance and as the medium through which governance processes take place.

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Highlighting some of the paradoxes and the unintended consequences of these regulating processes and the ensuing dynamics, *Rules of Law and Laws of Ruling* will be a valuable resource for researchers and students working in the areas of legal anthropology and governance.

In many countries today there is a growing and genuinely-held concern that the institutional arrangements for the protection of human rights suffer from

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a 'democratic deficit'. Yet at the same time there appears to be a new consensus that human rights require legal protection and that all branches of the state have a shared responsibility for upholding and realising those legally protected rights. This volume of essays tries to understand this paradox by considering how parliaments have sought to discharge their responsibility to protect human rights. Contributors seek

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to take stock of the extent to which national and sub-national parliaments have developed legislative review for human rights compatibility, and the effect of international initiatives to increase the role of parliaments in relation to human rights. They also consider the relationship between legislative review and judicial review for human rights compatibility, and whether courts could do more to incentivise better democratic

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deliberation about human rights. Enhancing the role of parliaments in the protection and realisation of human rights emerges as an idea whose time has come, but the volume makes clear that there is a great deal more to do in all parliaments to develop the institutional structures, processes and mechanisms necessary to put human rights at the centre of their function of making law and holding the government to account. The sense of

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democratic deficit is unlikely to dissipate unless parliaments empower themselves by exercising the considerable powers and responsibilities they already have to interpret and apply human rights law, and courts in turn pay closer attention to that reasoned consideration. 'I believe that this book will be of enormous value to all of those interested in human rights, in modern legislatures, and the relationship

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between the two. As this is absolutely fundamental to the character and credibility of democracy, academic insight of this sort is especially welcome. This is an area where I expect there to be an ever expanding community of interest.' From the Foreword by the Rt Hon John Bercow MP, Speaker of the House of Commons

Current Developments and Practice Responses

From Transnational Relations to

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Transnational Laws

Children's Hearings and the Sheriff Court

Restorative Justice for Juveniles

Potentialities, Risks and Problems for Research

Young Offenders and the Law

Juvenile justice has been and remains a topical issue at national and international levels. There are various standards and guidelines for administration, but six major models characterize juvenile justice systems worldwide: participatory,

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welfare, corporatism, modified justice, justice, and crime control. Juvenile Justice: International Perspectives, Models, and Trends presents contributions by authors from different countries in all five continents employing these six models. The book begins with a comprehensive overview of the topic and the various international standards and guidelines designed to inform juvenile justice practices. This introduction is followed by chapters on individual countries covered independently by resident experts, allowing readers to appreciate a range of comparisons and to critically reflect on the

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relative merits of the different models. Topics presented in each chapter include: The country's history of juvenile justice The nature and status of delinquency Current legislation on juvenile justice How well the legislation complies with the Standard Minimum Rules of the Administration of Juvenile Justice as defined by the United Nations The type of juvenile justice model followed Age limits for male and female juvenile offenders Legal and social issues confronting juvenile offenders Current theoretical biases used to explain and justify response to delinquency Future issues, challenges, and/or

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initiatives Text boxes supply current and relevant examples to contextualize key issues and themes. Each chapter features discussion questions and helpful web links to facilitate further research. Presented in an unbiased manner, the book is a consolidated yet comprehensive overview of juvenile justice models and practices worldwide. It enables readers to compare the relative strengths and weaknesses of different juvenile justice models/systems and to evaluate all countries in light of the larger international phenomena of delinquency. This topical, accessibly written book moves

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beyond established critiques to outline a model of positive youth justice: Children First, Offenders Second. Already in use in Wales, the proposed model promotes child-friendly, diversionary, inclusive, engaging, promotional practice and legitimate partnership between children and adults which can serve as a blueprint for other local authorities and countries. Setting out a progressive, positive and principled model of youth justice, the book will appeal to academics, students, practitioners and policy makers seeking to improve working practices and outcomes and will make an important contribution to the

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debate on youth justice policy.

This text deals exclusively with procedure of the children's hearing system in Scotland. The new edition reflects in particular the substantial changes brought about by the Children (Scotland Act) 1995 including the court new powers to make child assessment orders, child protection orders and exclusion orders. It takes into account the centralisation of the Children's Reporters Administration and draws on an ever growing volume of reported case law, both at Sheriff Court and Court of Session level.

Socio-Legal Perspectives of Human Rights in the

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National Context

Information for Employers

Training Resource Manual Volume 2 - Children's Hearing Handbook

The Emergence of the Scottish Children's Hearing System

A Review of Research

An Administrative/political Study of the Establishment of Novel Arrangements in Scotland for Dealing with Juvenile Offenders -1960-1982

This volume constitutes a commentary on Article 3 of the United Nations Convention on the Rights of the Child. It is part of the

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series, A Commentary on the United Nations Convention on the Rights of the Child, which provides an article by article analysis of all substantive, organizational and procedural provisions of the CRC and its two Optional Protocols. For every article, a comparison with related human rights provisions is made, followed by an in-depth exploration of the nature and scope of State obligations deriving from that article. The series constitutes an essential tool for actors in the field of children's rights, including academics, students, judges, grassroots

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workers, governmental, non- governmental and international officers. The series is sponsored by the Belgian Federal Science Policy Office.

The first comprehensive account of how the law and practice of child protection in Scotland has developed from its earliest origins to the present day, within the context of a changing world Key Features Places the Scottish juvenile court in worldwide perspective and explores why the juvenile court ideals remain central to the contemporary children's hearing system

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in Scotland, dealing with both child offenders and neglected and abused children. Gives detailed analysis of the legislation and explores the parliamentary debates surrounding Acts including the Children Act 1908, the Adoption of Children (Scotland) Act 1930, the Children and Young Persons (Scotland) Acts 1932 and 1937, the Children Act 1948, the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995 and the Children and Young People (Scotland) Act 2014 Preserves in accessible form many long-forgotten legal and social

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***aims, cases and secondary legislation
Kenneth Norrie traces the assumptions that underlay child protection law at particular periods of time and identifies the pressures for change - giving a clearer understanding of how and why the contemporary law is designed and operates as it does. Particular issues are traced in legislative detail, including court processes, the changing thresholds for state intervention, the increasing regulation of children's homes and foster care, the developing rules on corporal punishment and the earlier***

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practice of compulsory emigration to the colonies of children removed from their parents. The transformation of adoption is also covered in comprehensive detail. In drawing out key themes and common threads, Norrie sets contemporary developments against their historical context and offers a fuller understanding of child protection law in Scotland. Presenting a detailed and coherent analysis, exploring the key aspects of working with children and young people with sexually harmful behaviours, this revised and

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expanded volume includes fresh and updated chapters, which address context and systems issues, assessment and planning, as well as interventions and practitioner issues. The major topics covered include: policy, law, organizational contexts and service provision in the UK developing a comprehensive inter-agency system of response the management of sexual behaviour problems in schools and in placements assessment issues and resilience based approaches the abuse of information technologies such as mobile

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phones and the Internet methods of intervention with children and young people and their families unconscious processes in therapeutic work and practitioner support. Written by well-respected contributors in this field and in an accessible manner, this text will be a valuable resource to a number of readers, including students, experienced professionals at front-line and managerial levels, and academics with an interest in this area of work.

Act and Rules ; Extracts from the Children (Scotland) Act 1995 Children's Hearings

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(Scotland) Rules 1996

Rules of Law and Laws of Ruling

Managing Sex Offender Risk

Northern European Laws at the Crossroads

Positive youth justice

Human Rights Brought Home