



Challenges of Social Workers in the Multidisciplinary Team in the Penitentiary System

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Abstract

Today, social workers are found in many communities and institutional environments, including social service agencies, child care agencies, schools, hospitals, mental health programs, substance abusers, courts, prisons worldwide. Regardless of where they practice, to be effective social work practitioners, they share some unique professional needs. Today, the ability to assist and empower clients struggling with various issues, involved in legal matters, injustices, and on the brink of legal protection, is required. Social workers are required to be able to collaborate with professionals and other parties interested in helping the client navigate through a variety of financial, psychological, emotional, and legal concerns. This study addresses the importance of the practical development field of a forensic social worker, a field that is usually neglected and misunderstood. The study focuses on preliminary work on this field by showing a broader view of forensic social work which includes the knowledge and skills necessary to practice effectively in the socio-legal environment. "Forensic social worker" encompasses not only a narrow group of victims or abusers involved in juvenile justice and criminal justice but also individuals with mental health issues and programs affected by the police and state laws. Interdisciplinary practice and legal knowledge are essential for social workers to ensure that clients are provided with effective service. The inclusion of legal rules is rarely addressed in social work in a meaningful and practical way. This study provides practical knowledge in the collaborative work of forensic social workers.

Keywords: agency, social services, mental health, abuser, forensic social worker, "Rational Man", juvenile justice, criminal justice field

1. Introduction

As attention to resolving numerous issues within penitentiary systems grows, many professionals in the current state are being called upon to assist in their legal profession in addressing these matters. More than ever, social workers have been involved in these movements; their presence in courtrooms as experts and witnesses is becoming common, as is their participation as lobbyists in law-making groups and as influencers for many changes in the legal system. Reflecting on the riskiness, social workers have begun to gravitate towards a new specialty called "Forensic Social Work". This work requires considerable knowledge and practical experience, as it is based not only on the basic knowledge of the social work profession but also on the legal profession. In recent years, much has been written about the profession of forensic social workers; the desire for more information in this field focused on practical application in a concise manner is becoming increasingly frequent.

Social workers are crucial to collaborate because forensic social work is a specialty that exists at the intersection of two professions. Many social workers and legal practitioners have provided valuable information, examples, research,

and advice in their articles on applying this field of work. Forensic social work is a specialty focused on the interface between the legal system and the human service system. "It includes activities such as being a witness in a court, investigating cases with potential criminal influence, and assisting in the legal system such as in child protection, divorce, delinquency, responsibility for relatives, and in psychiatric hospitals."¹

The past pressure on the profession towards self-protection from the inadequacies and malpractices of members has to do with strict adherence to laws, competencies, and the code of ethics. In the context of this new trend, it is more important than ever for social workers to know about the laws, how to use them for themselves and for every corner, how to minimize legal difficulties, and how to serve well in the social and civil justice system. "Social workers and other professionals must navigate through the difficulties caused by contradictory laws and ethical standards, for example, they tend to prioritize their confidentiality principles over relying on and reporting according to the law."²

Social workers seek to educate legal professionals about human rights and social service needs; they also educate their social work colleagues about legal aspects and their work. Social workers use their skills to assist legal authorities in various ways and interview crime victims and witnesses, also providing information about investigators and judges. They consult with judges on the type of decision that would be most appropriate for the specific case. They work with mental health experts to understand if clients have the proper level of responsibility and they continuously act as their client's witness

The social treatment of convicts, ranging from those with severe mental problems to those with simple life issues, has been considered a powerful tool to escape the negative thoughts that affect life during the period of serving a sentence. It is true that, knowing the conditions that follow such disorders, treatment is conceptualized as soothing, playing the role of a life regulator, which seems to be very difficult from human perspectives. An individual may be able to control and balance psychic instances, but in special cases of dilemmas, and in what is most important, the loss of freedom, we are all unable to adapt. The individual tends to be more "real" than "rational".

Social workers and the multidisciplinary team are committed to creating treatments, to strike a balance between feelings, emotions, and human behaviors all in the face of the law and the regulations of closed institutions. Many types of treatment models have been tried that have yielded significant results. Among these, multidisciplinary treatment has been successful. This method made it possible to address a range of problems and focused on treating convicts in complexity. The concept of the social worker as part of the multidisciplinary team has been widely spread throughout correctional institutions and various treatment clinics. A qualitative study of the role of social workers as part of the multidisciplinary team and the challenges that this worker faces as part of this group is of particular importance.

2. History of Social Work

Social workers respond to individuals within the criminal justice system and work to change the system in which some individuals find themselves. Furthermore, the social worker not only responds to individuals affected by the state and state laws but also works to change these laws. Forensic Social Work is as old as social work itself and represents the full diversity of our profession, which includes: Advocacy for those accused or convicted of a crime; concern for the victim by responding to juveniles in the juvenile justice system, testifying in court in defense of both parties, defendants, and accusers, working with legal professionals, and working to change and renew the legal and policing process and system. From this perspective, the history of forensic social work is difficult to separate from the history of social work.

In fact, one of the earliest professional social work associations was the National Conference of Charity and Correction, formed in 1879 by pioneer social worker Jane Addams, who became its leader in 1909. It suggested the importance of correction, in both fields: in the conception of early social service formed about a century ago, and in today's understanding of the true places of social workers as actors and advocates. To trace the history of forensic social work, it is important to look at the history of forensic policing in the American South. Then, in the creation of social work and the introduction of social workers in changing these policies.

No history of social work can be written without referring to England's Poor Laws of 1601. One reason they are damaging is that they present the fusion of laws and social policies. A codification of society's responses to stressed individuals where the emphasis is placed on the government as a burden on these responses. The law responded to the poor by categorizing them into three categories: the deserving, the undeserving, and children³. Poor Laws are also damaging because they present the first opportunity for intervention by individuals who would later create the field of

¹ Robert 1997; Cole and others, 1995; Ezell 1995, Miller 1995

² Dickson 1998.

³ Day 2006.

social work: Advocacy for those who are before the law.

Later, early English colonies were influenced by the laws and systems of England. Legally, this meant that they would also codify the responses of their poor residents. Individuals were divided and then reorganized into communal houses for those who could not work or into workhouses for those who could work. They usually hesitated to turn the government into a responsible and appropriate institution to enforce laws and orders, resulting in law enforcement patrols patrolling the streets at night, then during the day⁴. If a criminal was caught, colonists sought swift punishment, usually of a physical nature⁵.

Concepts of right and wrong and views of human nature at that time did not suggest that criminals could benefit from rehabilitation. Or that their victims needed support or advocacy.

The earliest institutions related to crime and punishment were prisons, which were simple cells for adults and children together awaiting punishment. The future policy brought by England and social developments, philosophical clarification, the popularization of rational values that in many ways survive today "Rational Man", was thought to be unchangeable if he saw his wrong path and subjected himself to correction.

The 19th century had an influence on the new legal correctional police. In the first half of the century, many were interested in whether philosophy was effective, whether convicts were stationed for a fixed period and whether they would be sentenced until their time was completed based on their behavior. What incentives should they have to participate in harsh measures or rehabilitation programs? The concept of "good behavior" was developed where individuals in detention began to apply for parole. The first individual granted parole was released from Elmira Reformatory in New York in 1876.

John Augustus, a shoe manufacturer in Boston, began social reform in 1840. He began the practice of interviewing adults awaiting sentencing, personally acting as a bail bondsman, and taking responsibility for their reform, a model later adopted by Massachusetts as the probation process. The practice spread to two-thirds of the states by 1920.⁶

Probation expanded with the concept of rehabilitation. Those committing crimes could change their ways through discipline and reforms that could completely prevent incarceration. Although we cannot call Augustus a social worker, his actions paralleled those of social work pioneers and helped solidify humanistic approaches, emphasizing an individual's capacity for change and growth.

With the declaration of independence, America faced many social issues. In this climate, the profession of social work began to develop. The first School of Social Work was opened in 1898. The National Conference of Charities and Correction was established, becoming the National Conference of Social Work in 1917, collaborating to become the National Association of Social Workers in 1955. Social work pioneers were concerned with social reforms, law, and judicial issues, which became a primary focus.⁷ The difficult situation of the poor was the main focus of Mary Richmond, a social work pioneer.

A significant step in early social work was the change regarding the handling of young persons charged with offenses, such as juvenile delinquents. Julian Lathrop, Jane Addams, and Lucy Flower influenced the removal of children from penal institutions, where individuals younger than 5 years old were imprisoned with adults. Their contribution led to the establishment of the Juvenile Justice System in 1899. This institute for young offenders was supported by the advocacy offered by social workers, influencing the psychosocial assistance of children in the justice system.

The change in these institutions nurtured and gave life to new theories about human nature and childhood.

At the same time as the juvenile justice system was created, the criminal justice system was also in chaos. With the intervention of social workers in parole advocacy and the creation of juvenile courts in the 1800s, reforms focused on rehabilitation, as a concept that formed the basis of these changes. With the establishment of the American Association of Social Workers in 1921, social work cases had a central focus on services focused on multidisciplinary groups, composed of specialists who corrected through treatment.

3. Forensic Social Work and Social Workers in the Prison System

The profession of social worker promotes social change, problem-solving in human relationships, and influencing people to produce well-being. Based on theories of human behavior and social systems, social workers' interventions focus on the point where people interact with their environment. The principles of human rights and social justice are the

⁴ *Blakely and Bumphus 1999*

⁵ *Popple and Leighninger 2002*

⁶ *Popple and Leighninger 2002.*

⁷ *Barker and Branson 2000; Robert and Brownell 1999.*

foundations of social work.

There are a number of definitions of forensic social workers. They range from generality to specificity, and they may focus on one or more practical bases or populations. For example, Barker and Branson place the work of the social worker in a "legal" environment and defined it as a "professional specialty that focuses on the intersection between legal society and the human service system"⁸. In contrast, Hughes and O'Neal defined forensic social workers as specifically related to the relationship between mental health and the law, in which social workers "function in the space where the concepts of mental health and law form a gestalt"⁹. Roberts and Brownell describe forensic social workers in terms of the knowledge and skills necessary to serve a population, especially victims and abusers¹⁰.

In this case, forensic social work is the "police, practitioner, and social role with juveniles, adult abusers, and crime victims".

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In all suggested definitions, a social worker practicing a legal approach must be highly oriented towards collaboration. This includes working with other professionals such as doctors, psychologists, and other authorities. Historically, social workers have practiced a variety of "hospitality" from agency programs, such as hospitals, schools, courts, etc. With the increase in social problems and the reduction of resources, the involvement of social workers in interdisciplinary collaboration, with and through agencies, is often unnecessary. Forensic social workers typically work with interdisciplinary teams. When they work in this way, the elements of interdisciplinary teams usually consist of: a group of professionals from different disciplines, a common goal, combining multiple professional perspectives in decision-making, interactivity, coordination and interaction, communication and role-sharing based on expertise. During interviews with social workers in the prison system, they refer:

*"Daily, clinical charts are studied, specifically the notes of the psychiatrist, and the changes in the inmates presenting acute problems are noted, and interventions are discussed."*¹¹

*"When cases of pre-trial detainees with illnesses are identified, consultations with the doctor for case management are always conducted, and these consultations are very effective."*¹²

*"Every case I identify with behavioral problems, no matter how small, I refer to the psychologist."*¹³

*"I always collaborate with the psychologist in developing the most effective treatment program."*¹⁴

The ability to work collaboratively with others is critical to achieving a successful client response. According to Bronstein, interdisciplinary collaboration is an effective interpersonal process that facilitates goal achievement, which cannot be achieved if professionals act alone. Social workers who engage in interdisciplinary collaboration in forensic practice are able to address sociological issues with the help of a variety of professionals in a problem-solving group process, which enables them to examine the problem from all angles¹⁵.

In support of practical skills, multicultural competence is critical to the practice of forensic social workers where diverse populations are part of the group. The diversity and collaborative practice of forensic social workers form a dynamic overlap of mandates. It is important that the recruitment of employees be based on the system in which an organization operates. These systems must also respond to the characteristics and abilities of the participants. Social workers are required to develop their practical skills based on understanding the client through the context of identity and lifestyle. Social programs and services must be vigilant regarding the envisioned structure that favors or accommodates individuals with backgrounds or characteristics different from others.

⁸ Barker and Branson 2000.

⁹ Hughes and O'Neal 1983

¹⁰ Roberts and Brownell 1999.

¹¹ Social Worker-Penitentiary Institution of "Mine Peza"

¹² Social Worker-Penitentiary Institution of "Mine Peza"

¹³ Social Worker -Penitentiary Institution of "Krujë"

¹⁴ Social Worker -Penitentiary Institution of "Mine Peza"

¹⁵ Bronstein 2003.

4. From the Intervention Role in Multidisciplinary Practice

Clients who interact with a legal system often perceive it as painful, invasive, and beyond their control. These clients must interact with a number of professionals, and they may not be able to easily distinguish the role each is supposed to play. It is important that each role be clearly delineated and adhered to by the professional. It is also important which information should be provided and which should not be among members of the multidisciplinary group. Professionals must understand the obligations and constraints of each profession, including confidentiality¹⁶. More than relying on the informal system of interaction among clinicians and other professionals, a more advanced system should be established, and the client should understand the boundaries of each relationship.

For example, based on the literature, when a social worker is not directly employed by the social and criminal justice system, which offers the client service, many clients may never see the social worker as part of the system¹⁷. It is at a critical juncture when a social worker initiates contact with a client in a penal system. The social worker clarifies that the client will also receive social service. The social worker does not personally request this: if the client requests to terminate this service, the social worker cannot sanction the client, but it is important for the client to be aware that others may sanction him as a result of refusing the service. Clients may also experience frustrating experiences because they are required to participate in many services offered to them as a result of their involvement in a criminal justice system, such as treatment for drug or alcohol use, anger management, parenting skills acquisition, and mental health services. Client overload with services, especially those services in which the client does not personally invest, can overwhelm the client and make them feel powerless. Personal powerlessness against services offered, how they are taken, and how long protective mechanisms can be formed by the client to resist achieving the goal of the service. Resistance to services can also be formed as a result of the large number of services offered to the client.

When working in collaboration with other professionals, it is important to consider the legal limits set on client confidentiality. As a social worker, a high awareness of the concept of confidentiality is crucial. When a worker is part of the criminal justice system, certain expectations regarding client confidentiality come into play. It is important to adhere to ethics, as some exceptions to confidentiality can only be made with the client's permission, and those who do not act in this manner should inform the client before starting the service. For example, if a client is referred to a service through a court order, and the service office wants to be kept informed about the client's participation, a social worker can provide this information only if the client allows it. It is a critical moment to inform a client that social services will continue even if they choose to withdraw from the service. It is usually very important for the social worker to inform the client about the possible consequences of non-participation, such as violating probation and returning to jail.

To foster respectful relationships with colleagues, spiritual cooperation in service to the client is needed, but the social worker must remember that colleagues are not clients. They serve as a referral source, and this does not give them the right to obtain more information than is allowed by the client.

"The field where I operate is very broad; the prison system includes the social worker in a wide range of activities that assist the inmates, without at all encroaching on the work of others. I know the limits of my work."¹⁸

There are many examples of confidentiality in forensic social work that go beyond traditional expectations. As a social worker employed in a prison, who has been called as a witness on behalf of the client in a "Parole" hearing, it is important that the social worker clearly communicates all expectations of confidentiality to the client. Failures to do so can seriously damage the worker-client relationship. The client will feel betrayed if the social worker shares information with others; typically, they will respond punitively, being fully convinced that certain information will be kept confidential.

"I defend my work in every detail, and when I face opposition from the team, such as when I defend an inmate, that is part of my job."¹⁹

A fundamental principle of social work practice is the client's right to self-determination. Clients have the right to be informed about the manner of treatment they will receive and the effectiveness of treatment for their specific problems. Social workers have a legal and ethical responsibility to provide this information²⁰. During dialogue with the client,

¹⁶ Holdman 2000.

¹⁷ Brownell and Roberts 2002

¹⁸ Social Worker-Penitentiary Institution of "Krujë"

¹⁹ Social Worker -Penitentiary Institution of "Mine Peza"

²⁰ Nasw 2005.

individual interests often weigh against the needs of a broader community; these social workers must consider individual intervention and social justice. The client should be made aware of this duality of roles and the legal issues they create.

Frictions arise continuously among forensic professionals who fail to recognize their responsibilities towards the client. For example, participants in "Parole" hearings may be frustrated by their clients' lack of progress, such as the Court's decision on substance abuse treatment, domestic violence, or child abuse. However, the social worker understands that the client needs more time to prepare for change before the "Real Work" of treatment begins.

Law enforcement professionals may feel that helping professionals like social workers are obstructing the law when they play the role of client advocate (e.g., removing restraints during health care procedures), while social workers, doctors, and other health professionals believe that police are using unnecessary force in treating the client²¹. Faced with forensic situations, there is rarely an easy answer. Professionals must consult with each other honestly to resolve dilemmas that often go beyond the bounds of educational ethics. There must be an understanding among professionals, duties, and responsibilities of each. This can only be achieved through education, collaboration, and can only be organized.

Dilemmas can arise within a single discipline. For example, one social worker may be working with a victim of sexual abuse, while another may work in the prison system with the perpetrator of a crime. Each professional must have different expectations for the reactions of each abuser and appropriate interventions for them as clients. During collaboration, forensic social workers must be prepared to deal with these conflicts. A clear understanding of each role in each case helps professionals ensure the best care for the client. Social workers' collaboration must possess a set of specific skills to successfully negotiate these practice conditions.

5. Conclusions

Forensic social workers play a valuable role in developing multidisciplinary practices for mental health service and socialization within prisons. Despite differences in their treatments, cultures, missions, clinical staff, and police have some common achievements. When they share relevant information with clinicians and assist in managing offenders with mental health disorders, both treatment quality and environmental safety are improved. Mutual respect, orientation, proper training, communication, and collaboration create a damaging contribution to the entire team in treating offenders.

From the study conducted on the role of social workers based on their challenges in the multidisciplinary team as a treating team for the convicted individual, and from the theoretical and systematic study of foreign literature based on this topic, it is found that during work in the multidisciplinary team where one of the important points in the treatment of difficult cases is the prevention of suicidal attempts, difficulties are encountered, where individuals with such problems must be continuously monitored by all sectors. From the social worker's perspective, more facilities need to be created to ease their psychosocial state, where we often need to find an appropriate way based on regulations, but the latter does not create space. The most difficult part of the sentence is the adaptation to the closed institutions of the pre-convicted individual. Detached from freedom and loved ones, the pre-convicted individual goes through a critical period, as far as the deprivation of all personal belongings is concerned, a kind of depersonalization that happens to the individual. Multidisciplinary treatment in this part is very necessary; the difficulty arises at the point where this pre-convicted individual often faces the security sector by not accepting limitations.

The study highlights the treatment of individuals with mental health problems often encounters difficulties in managing them against aggressive behaviors and psychomotor injuries, where a key role in the assistance provided is played by the security sector by creating protection during the treatment phase. The management of the individual during psychomotor injuries in the physical confinement room by the security sector is often based on the recommendations provided by the social worker.

Conflicts that often occur among convicts where the main protagonists of their solution are the social worker and the police of the security group develop based on a communication ethic that suits the social worker. Following problematic cases where difficulties are encountered in building an effective relationship between the social worker and the convict is done by the intervention of the security sector, which helps to strike a balance by assisting the social worker in improving relationships with the convict.

It is found that the social worker obtains necessary information from the security sector about the behaviors and actions of the convict during the period when the convict is not under supervision. When communication between the

²¹ Friedman 1978.

social worker and the psychologist is always at the right level and based on communication and collaboration, difficult cases are successfully managed.

The social worker and the psychologist, from the data, seem to stand up for convicts during their multidisciplinary treatment, playing the role of their advocate, thus coming to their aid and not lowering the self-esteem of an individual with problems.

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