

# LEGAL LITERACY

**Background:** Legal literacy is the ability to connect relevant legal rules with the professional priorities and objectives of ethical practice. It is a combination of law (doing things right), ethics (doing right things) and human rights (rights thinking). These three components should be integrated and applied in the context of each and every unique set of circumstances.

**Why it matters:** Legal literacy matters because legal rules determine how and when the state may intervene in the lives of its citizens. Knowing how legislation in Jersey protects children & adults helps practitioners make better decisions. Legal rules & an ethical duty of care lie at the heart of practice and both, informed by rights-based principles, must influence decision-making.

**Questions to consider:** How is your work influenced by your personal code of ethics and values? Are you familiar with relevant legislation including Human Rights (Jersey) Law 2000, UN Convention on the Rights of the Child, Children (Jersey) Law 2002, Capacity and Self-Determination (Jersey) Law 2016, Sexual Offences (Jersey) Law 2018, Discrimination (Jersey) Law 2013? Do you use the SPB Multi-Agency Policy and Procedures for Adults and Children? Do you know your own organisation's policies, procedures and guidance?

**What to do:**

If you would like to find out more about legal literacy, the SPB have a training module on this topic –

[www.safeguarding.je/courses](http://www.safeguarding.je/courses)

Research in Practice have materials including briefings and a webinar at

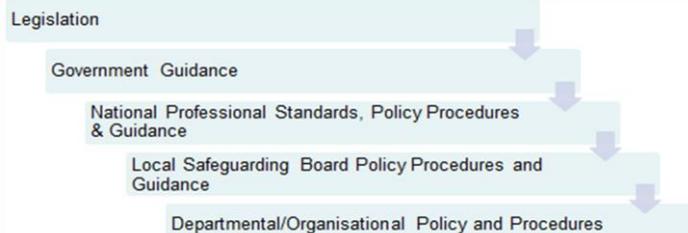
[www.researchinpractice.org.uk/all/topics/legal-literacy](http://www.researchinpractice.org.uk/all/topics/legal-literacy) Contact SPB to create a

RIP account if you don't have one already.



**Information:** Public authorities must act lawfully. Failing to act when there is a duty to do so or acting outside their powers & duties is unlawful. Decisions must take account of the requirement to eliminate unlawful discrimination, promote equality & respect human rights. The European Convention on Human Rights is central to decisions about care and support, risk, safeguarding, best interests and restriction of liberty.

Frameworks support adult & child safeguarding and protection. Each step should align with the one above:



Practitioners must also observe standards in the use of their statutory authority: make timely decisions, take account of all relevant considerations, avoid bias, share information, consult and provide a rationale for their exercise of discretion. Practitioners must respect their employer's policies, procedures and guidance provided these are lawful. How they manage their responsibilities will be influenced by how they interpret the relationship between law & practice and how they negotiate practice dilemmas.