
Book Reviews / Comptes rendus

Turner, David & Uhlemann, Max R. (eds.) (1991). *A Legal Handbook for the Helping Professional*. The Sedgewick Society for Consumer and Public Relations. Victoria, B.C.

Reviewed by: Norman W. Garlie, Ph.D., Faculty of Education, Memorial University of Newfoundland.

This handbook was prepared as a resource to provide legal information to helping professionals. It is an edited handbook with eight contributors, all with legal backgrounds, many with a combined legal and helping professional background. One of the editors (Turner) has a combined legal and helping professional background and the other (Uhlemann) a background in counselling and psychology.

There are 13 chapters of which 12 focus on specific areas where legal problems often arise from helping professionals. The last chapter looks at implications for the future. Each chapter contains a list of common questions with answers provided by helping professionals knowledgeable in that area. Further suggested readings are provided at the end of each chapter.

The editors point out that the "handbook states the laws as of May 1, 1991, unless otherwise stated at the beginning of a chapter." Furthermore, they point out that the law is not static and is constantly evolving as our social context changes in Canada.

Perhaps the best way to introduce the book is by listing the topics, by chapter, and making a brief comment on each. Chapter one, by the book editors, "Legal Knowledge for the Helping Professional," provides the reader with the "general legal knowledge necessary for competent practice." It covers such topics as the nature and function of law in society and explains the hierarchical nature of the legal system with examples from British Columbia. The sources of Canadian law are explained as are dispute resolution, criminal legal processes and procedural fairness. This is the basic information that each helping professional must have to understand the system and thus provide high level service for his/her clients.

In chapter two, "The Charter and Human Rights," Turner provides a definition of human rights and introduces the reader to the Charter of Rights and Freedoms of Canada as well as other relevant human rights legislation. Since the Charter is a relatively new addition to Canadian law it will update those readers who have not had the opportunity to study it in depth. The author also points out some limitations of the charter and other human rights legislation.

One topic that all helping professionals must currently be well versed in is child protection. Chapter three deals with this topic in some depth. Turner and Uhlemann provide those aspects of child welfare law with which we must be familiar in order to provide competent help to clients. The focus is on law as it exists in British Columbia and the authors point out that each professional must become familiar with the specific laws in their jurisdictions. The

information provided, however, gives the basics needed to more easily understand the legal process in this controversial area. The stages in the protection process will most likely be quite similar across most Provinces.

Chapter four, "Native Indian Self-Determination and Child Protection Law," by John A. MacDonald, focuses on child protection law as it relates to native people. MacDonald clarifies several areas that are often unclear to many people including: who specifically are the Native Indian Peoples of Canada; status versus non-status Indians; and, federal versus provincial jurisdiction in this area. Several reforms in legislation and administration are mentioned, including the Ontario Child and Family Services Act of 1984 which was one of the most creative attempts to meet the needs of native children in Canada. He gives examples of native-administered child welfare programs in British Columbia and points out the challenges ahead in providing service to Indian children in urban areas. He alerts the reader to some of the changes occurring in the relationship between first citizens and the various levels of government. These changes will challenge each helping professional to gain a deeper understanding of how they may be involved or perhaps, as self-government develops, not involved in working with natives in the future.

"Adoptions" is the title of chapter five. Glenn Gallins provides basic information for helping professionals including the concerns often voiced by people thinking of adopting, those who may be giving up a child for adoption, and those who may be the subject of an adoption. The reader is again alerted that adoption falls under provincial jurisdiction. The British Columbia procedures are provided as an example. The Common Questions section is quite helpful as it provides answers to such questions as "Who is eligible to adopt a child?" and "Can a person advertise for a child?"; in addition, the section discusses issues such as private adoptions and adopting children from other countries. Each helping professional should become familiar with the adoption law in his jurisdiction and the framework provided in this chapter should be helpful in that process.

In chapter five entitled "Family law," M. Jerry McHale provides the reader with basic information "on common family law issues, including the law relating to marriage, divorce, custody, access, maintenance and division of property" (p. 93). With the rates of divorce increasing, every counsellor will face questions in this area either directly or indirectly. This chapter provides a very good discussion of the issues one must be familiar with but once again it is important to be aware of the specific law and process in your own jurisdiction.

Nicholas Lang (chapter seven) provides the reader with information on "Family Violence and the Criminal Court System." He outlines the criminal law system and "related procedures available for identifying and intervening in situations of family violence, especially physical and sexual assault upon family members" (p. 115). This chapter is a must for anyone who is working with victims of assault as they proceed through the court system. Some of the issues included are: how complaints are handled by police, children as witnesses, and court preparation of witnesses.

Chapter eight, "Youth Justice and the Legal Process" by Lesley Giles provides the reader with a "functional knowledge of the youth justice system in British Columbia" (p. 137). It takes the reader through the Young Offenders Act including the philosophy of this Act and how it differs from the previous Juvenile Delinquents Act. The necessity for co-operation between the complex interagency system and the court is outlined, as is the legal process that the young offender goes through. The important role of the helping professional working, within the adversarial system, for the best interest of the young person is clearly pointed out.

For helping professionals working with "patients" who are being admitted to mental health facilities, chapter nine, "Mental Health: Disorder and Incapacity" by Gerrit W. Clements will be helpful. Although it focuses on British Columbia law it does point out the rights under the Charter that would be relevant to individuals across the country. Again the Common Questions section should be helpful in gaining an understanding of the complex issues surrounding the "patients'" rights issues.

Chapter ten, "Rights of Persons with Physical and Mental Disabilities" by Dulcie McCallum, will be of particular interest to those who work with persons with disabilities. The author points out the sections of the Charter that are especially relevant to this group of people and deals with issues such as consent to treatment, employment, housing, access to education, and legal rights. Several cases are cited that have had a major impact on how the rights of individuals are presently interpreted by the courts. The author laments that even with the Charter specified rights this population is still not receiving equal and fair treatment in our society.

Terry J. Wuester, in chapter eleven, writes on the legal liability issue. The focus is "upon three areas of civil liability: actions arising from intentional interference with the person of another; actions arising from accidental interference with the person or property of another; and, actions arising from negligent statements made to a client or patient or to others" (p. 193). With the increasing litigation in our society each helping professional will want to review this chapter carefully.

In chapter twelve Clements and Uhlemann discuss the thorny issues of informed consent, confidentiality and access to information. Every student in counselling needs to be exposed to the issues raised in this chapter before he or she finds themselves trying to deal with these issues on the front lines.

Uhlemann and Turner share their "Implications for the Future" in chapter thirteen, wherein they point out what sources of social change may impact on the law in the near future. The impact of urbanization, increasing cultural diversity, our aging population, the gap between the rich and the poor, new lifestyles developing in society, advances in medical science and the increase in litigation due to each person's better understanding of their personal rights are all briefly commented upon. The authors also present a summary of each contributor's views about directions of future change in the law that will impact on each of us and what implications these changes might have in our practice.

Overall this book should be of value to both practising professionals and students in counsellor training. If it has a weakness it is the use of the British

Columbia law by many of the contributors for the basis of much of their presentations. This will require the reader to ensure that he or she is familiar with any differences in the law in their own jurisdiction. There was some redundancy, which is common in books presented in this format, but the editors did a commendable job in keeping it to a minimum. The editors carefully point out that the law is a living and changing process. This of course means that some of the material in this book will be dated fairly quickly and will require the reader to be alert to changes in the law that occur. Perhaps the editors might want to consider a regular update of their book when major changes occur.

Bernard, J. M. & Goodyear, R. K. (1992). *Fundamentals of clinical supervision*. Boston: Allyn and Bacon. 347 pages.

Reviewed by: Carol Stuart, Doctoral Student, University of Victoria.

Bernard and Goodyear state that this book is intended to incorporate the best of the supervision literature from several disciplines. Their goal is a book which is useful as a textbook or as a professional resource; the result is a highly practical and thought-provoking book, well grounded in theory and research, with multiple uses for the practitioner of supervision.

Chapter one, introduces the book by exploring the definition of supervision. The chapter fully explicates this definition by looking at the differences between supervision and education, therapy and consultation.

The following five approaches to supervision are discussed in chapter two: psychotherapy based, developmental, model-based, personal growth, and parallel process and isomorphism. Chapter three uses Bernard's *Discrimination Model* to discuss supervisory roles. Woven throughout the presentation of these approaches to supervision are the historical growth of the field of supervision and the theoretical roots of the approaches presented.

Chapters four, five and six will be of the most use to the practising supervisor, in the field or in an educational institution providing practica or internship experiences. These chapters look at the process and possibilities inherent in the supervisory techniques of individual case conference, group supervision, and live supervision. Throughout all three chapters there are many examples, grounded in a variety of theoretical approaches and contextual environments in which supervision could occur. Chapter four includes many practical suggestions and techniques for use in individual supervision meetings. Supervisory assessment forms and scales are appended. Chapters five and six discuss techniques for group supervision within the theoretical context of group process and the use of live supervision in the context of family therapy. Advantages and disadvantages of the techniques presented in these chapters are discussed. Research applicable to the techniques described is integrated within the practical presentation of the techniques.

Because the definition of supervision used by Bernard and Goodyear includes an evaluative component, it is not surprising that they devote an