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## **An Analysis on the Effectiveness of Social Work Practice in Handling Divorce Cases within Court Proceedings in Lusaka District**

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### **Abstract**

This study examines the effectiveness of social work practice in handling divorce cases within court proceedings in Lusaka District, Zambia. It was guided by three objectives which were: To explore the role of social work practice in divorce court proceedings, to examine the perceptions of practitioners involved in divorce court proceedings regarding the effectiveness of social work practice in handling divorce cases and to identify limitations faced by social work practitioners involved in divorce court proceedings. Employing a qualitative descriptive research design, the study engaged 30 purposively selected participants, comprising social workers and magistrates through in-depth interviews to explore their professional experiences and perspectives. Thematic analysis was used to interpret the data, guided by Ecological Theory and Role Theory to contextualize the interplay between individual practice and systemic structures. The findings reveal that social workers play a multifaceted role in divorce proceedings, primarily through conducting psychosocial assessments, offering expert guidance to the court, providing mediation and counselling to families, and reducing interpersonal conflict between divorcing parties.

Practitioners viewed social work intervention as highly effective in safeguarding child welfare and improving the quality of judicial decisions. However, significant limitations were identified, including client non-compliance, insufficient follow-up on court recommendations, logistical constraints such as lack of transport for field visits, caseloads and gaps in social workers' legal knowledge. Additionally, misconceptions among clients regarding the role of social workers within the legal system were found to hinder effective engagement. The study concludes that while social work practice substantially contributes to child-centered and informed adjudication in divorce cases, its effectiveness is constrained by systemic, resource-related, and professional challenges. It recommends enhanced institutional support, continuous professional development for social workers in legal matters, improved client education, and stronger monitoring mechanisms to ensure the sustainability of court-ordered interventions. This research provides evidence-based insights that can inform policy, practice, and further scholarly inquiry into the integration of social work within judicial systems in Zambia and similar contexts.

**Keywords:** Social Work Practice, Divorce Proceedings, Court Systems, Child Welfare, Mediation, Qualitative Research, Lusaka District, Zambia

### **1. Introduction**

#### **1.1 Background**

Globally, social work practice plays a crucial role in promoting social justice, protecting vulnerable populations, and facilitating conflict resolution within family systems, including cases of marital dissolution. Divorce, a legally sanctioned termination of marriage, has become a growing social phenomenon with profound emotional, psychological, and economic consequences for individuals and families. Over the decades, there has been increasing attention on the effectiveness of social work interventions in managing divorce cases within judicial systems, as social workers are often called upon to mediate disputes, provide counselling, and ensure the protection of children's welfare during court proceedings (International Federation of Social Workers (IFSW), 2023; United Nations Children's Fund (UNICEF), 2022) [21, 50]. The effectiveness of social work practice in this context is often determined by the extent to which social workers can balance legal mandates with therapeutic support, ensuring that justice and family welfare are both upheld (Thompson & Stepney, 2021) [47].

Divorce trends across the world reflect significant variation, underscoring the need for strong supportive mechanisms such as professional social work services. For example, in the United States, the divorce rate in 2023 stood at approximately 2.4 divorces per 1,000 populations (Centers for Disease Control and Prevention [CDC], 2023). Similarly, the National Association of Social Workers (NASW) reported that social workers assigned to family courts play an essential role in mediating child custody disputes, mitigating emotional trauma, and facilitating post-divorce adjustment (NASW, 2022) [37]. However, studies indicate that heavy caseloads, bureaucratic limitations, and insufficient psychosocial training often hinder effective intervention (Roberts & Greene, 2020) [43]. Similarly, in the United Kingdom, family court social workers have been instrumental in implementing child protection frameworks and ensuring compliance with family law, yet concerns persist regarding limited inter professional collaboration and lack of standardised intervention models (British Association of Social Workers (BASW), 2021) [5]. In Australia, social work practice in family courts has evolved toward a multidisciplinary approach, integrating psychological assessment, mediation, and counseling to reduce adversarial outcomes in divorce cases (Australian Institute of Family Studies (AIFS), 2022) [3].

In Africa, the role of social workers in handling divorce cases has gained increasing recognition as family structures and gender relations undergo transformation. Traditional mechanisms for resolving marital conflicts are gradually giving way to formal legal systems, creating a demand for professional social work intervention within courts (African Union (AU), 2022) [1]. Nonetheless, challenges such as resource constraints, inadequate professional recognition, and limited integration of social work services into legal institutions continue to affect practice effectiveness (Mupedziswa & Rankopo, 2020) [32]. In Nigeria, for example, family court social workers face challenges in balancing cultural expectations with modern legal frameworks, often resulting in inconsistent support to divorcing couples (Ogunleye, 2021) [39]. In South Africa, the Department of Social Development (DSD) has emphasized the importance of strengthening psychosocial services in divorce cases, particularly those involving children, yet many social workers report insufficient institutional support and training in legal procedures (DSD, 2022) [11].

In Zambia, the family court system operates within the framework of the Local Courts and Subordinate Courts, which handle marital and custody disputes. Social workers are expected to provide mediation, psychosocial counseling, and child welfare assessments during these proceedings (Ministry of Community Development and Social Services (MCDSS), 2023) [31]. However, studies and reports from the Zambia Association of Social Workers (ZASW) have highlighted gaps in practice effectiveness, including inadequate collaboration between social workers and legal officers, limited access to counseling resources, and heavy workloads that compromise case management quality (ZASW, 2023) [52]. Additionally, the stigma surrounding divorce in Zambian society often influences the willingness of clients to engage with social workers, while limited institutional frameworks hinder consistent intervention outcomes (Mwansa, 2021) [35]. Despite government efforts to strengthen social welfare services through policy reforms and professional training, the effectiveness of social work

practice in handling divorce cases within court proceedings remains underexplored in Zambia. This underscores the need for an analysis of the Effectiveness of Social Work Practice in Handling Divorce Cases within Court Proceedings in Lusaka District”

## 1.2 Statement of the Problem

Social work practice in Zambia is designed to promote social justice, protect vulnerable populations, and strengthen family welfare through professional intervention. In the judicial system, social workers are expected to play a role in handling divorce cases by providing psychosocial counseling, mediation, and child welfare assessments to ensure that the emotional and social needs of affected families are adequately addressed (International Federation of Social Workers (IFSW), 2023) [21]; Ministry of Community Development and Social Services (MCDSS), 2023) [31]. In line with this, the Government of Zambia, through the MCDSS and the Zambia Association of Social Workers (ZASW), has emphasized the integration of professional social work practice into family and subordinate courts to enhance justice delivery and promote family well-being (ZASW, 2023) [52].

However, many divorce cases in Lusaka continue to exhibit unresolved family conflicts, inadequate psychosocial support, and delayed intervention in child custody matters. This is so due to limited institutional collaboration with judicial officers, high caseloads, and inadequate resources, which hinder effective social work practice intervention during court proceedings (Mwansa, 2021; Mupedziswa & Rankopo, 2020) [35, 32]. If this remains unaddressed, there are expected risks of perpetuating a justice system where divorcing couples and their children receive limited psychosocial support, leading to prolonged emotional distress, poor post-divorce adjustment, and weakened family structures. Hence, a need to analyze the effectiveness of social work practice in handling divorce cases within court proceedings in Lusaka District.

## 2. Literature Review

### 2.1 Social Work Roles in Divorce Proceedings

Social workers engage in mediation, counselling, child welfare assessments, crisis intervention, and case documentation (UNICEF, 2022) [50]. In Western contexts, these roles are institutionalised and directly influence judicial decisions (AIFS, 2022) [3]. In African contexts, social workers act as mediators and child protection officers but face limited institutional support (Mupedziswa & Rankopo, 2020) [32].

In Zambia, social workers help reduce conflict, assess family dynamics, and guide child custody decisions (MCDSS, 2023) [31]. However, inconsistent role clarity and logistical challenges weaken their effectiveness (ZASW, 2023) [52].

### 2.2 Perceptions of Social Work Effectiveness

Practitioners globally express mixed perceptions: highly positive in well-resourced courts (Roberts & Greene, 2020) [43] but more critical in resource-constrained settings such as Malawi and Uganda (Katuta, 2021). In Zambia, social workers view their contributions as meaningful but constrained, citing lack of recognition, limited collaboration with magistrates, and insufficient training opportunities (Mwansa, 2021) [35].

### 2.3 Limitations Faced by Social Workers

Research identifies several limitations: high caseloads, emotional exhaustion, lack of transportation for field assessments, shortage of office space, and minimal follow-up mechanisms (Thompson & Stepney, 2021; DSD, 2022) [47, 11]. Zambian literature reports limited logistical support, scarce human resources, and weak institutional backing as major constraints (MCDSS, 2023) [31].

### 2.4 Theoretical Framework

This study applied Ecological Theory and Role Theory. Ecological Theory (Bronfenbrenner, 1979) explains how micro-, meso-, and macro-level systems shape practice effectiveness. Role Theory (Biddle, 1986) explains role ambiguity, role conflict, and role strain experienced by social workers in court settings.

### 2.5 Research Gap

Few empirical studies have examined the integration of social work in Zambia's divorce courts. Existing studies lack depth, have small sample sizes, and rarely apply rigorous theoretical frameworks. This study fills this gap by providing contextualised evidence from Lusaka courts.

## 3. Methodology

### 3.1 Research Design

This study adopted a qualitative descriptive research design, which is appropriate for exploring participants' experiences, perceptions, and contextual realities in natural settings. The design enabled the researcher to gather detailed narratives from social workers and magistrates directly involved in divorce cases. Qualitative descriptive approaches are useful when the goal is to obtain rich, straightforward descriptions of a phenomenon without imposing complex theoretical interpretations (Sandelowski, 2000). This design was chosen because it allowed the study to capture authentic accounts of effectiveness, challenges, and professional roles of social workers in court environments, making it suitable for addressing the specific objectives of the study.

### 3.2 Study Site

The study was conducted in Lusaka District, which hosts several subordinate courts that frequently handle divorce cases. Lusaka is the administrative and judicial hub of Zambia, making it a relevant location for examining court-based social work practice. The selected courts represent diverse socio-economic and cultural contexts, ensuring the inclusion of varied experiences in divorce proceedings. Conducting the study in these locations enhanced the relevance of findings to urban judicial settings, where caseloads tend to be higher and social work demand more pronounced. The site was also chosen for its accessibility and the presence of qualified social work professionals.

### 3.3 Target Population

The target population consisted of practising social workers and magistrates who were actively involved in handling divorce cases. Social workers were included because they provide mediation, assessments, and psychosocial support within court settings, while magistrates were selected due to their decision-making authority and first hand understanding of social work contributions. This population was appropriate because both groups possess unique insights into the effectiveness and challenges of social work practice in

judicial proceedings. Their perspectives formed the foundation for evaluating the practical realities affecting divorce case management in Lusaka District.

### 3.4 Sampling

The study utilised purposive sampling, a non-probability technique commonly used in qualitative research to identify participants with rich knowledge and direct experience of the phenomenon under investigation. Social workers and magistrates were deliberately selected based on criteria such as professional experience, involvement in divorce cases, and willingness to participate. This sampling strategy ensured the inclusion of participants who could provide meaningful and relevant data. Purposive sampling also enhanced the depth of information collected by allowing the researcher to access individuals capable of offering detailed reflections on social work practice within courts.

### 3.5 Data Collection

Data were collected using semi-structured interviews, which allowed for a flexible yet guided exploration of participants' experiences. The interview guide contained open-ended questions aligned with the study objectives, enabling participants to freely express their views while ensuring that key topics were addressed. Semi-structured interviews were appropriate because they provided the opportunity to probe for more detailed explanations and clarify emerging issues. Interviews were conducted in person at the courts or participants' offices, ensuring privacy and confidentiality. Each interview lasted between 30 and 45 minutes and was recorded with participants' consent.

### 3.6 Data Analysis

The data were analysed using thematic analysis, a method suitable for identifying patterns, themes, and categories within qualitative data (Braun & Clarke, 2006) [4]. The analysis followed several stages: transcription of interviews, familiarisation with the data, generation of initial codes, categorisation of codes into broader themes, and interpretation of these themes in relation to the research objectives. The thematic approach allowed the researcher to systematically organise participant responses and extract meaningful insights about social work roles, perceptions, and limitations. This method also ensured that findings remained grounded in participants' narratives.

### 3.7 Ethical Considerations

Ethical standards were upheld throughout the study to protect participants' rights and dignity. Ethical approval was obtained from the relevant institutional review board before data collection began. Participants were provided with clear information about the study's purpose and their role, after which informed consent was obtained. Confidentiality was maintained by anonymising participant names and using codes instead of personal identifiers. Additionally, interviews were conducted in private spaces to ensure comfort and privacy. Participants were informed of their right to withdraw at any stage without penalty, ensuring voluntary participation.

## 4. Data Presentation and Analysis

The response rate in this study was 100%, as all the Participants were interviewed as indicated in table (1) below:

**Table 1:** Characteristics of Participants

Variable Name	Frequency	Percent
<b>AGE</b>		
18 – 30	2	33
31 – 40	15	50
41+	13	17
<b>Total</b>	<b>30</b>	<b>100</b>
<b>Gender</b>		
Male	12	33
Female	18	33
<b>Total</b>	<b>30</b>	<b>100</b>
<b>Professional Title</b>		
Magistrates	10	23
Social workers	20	67
<b>Total</b>	<b>30</b>	<b>100</b>
<b>Highest Academic Qualification</b>		
Tertiary	30	30
<b>Total</b>	<b>30</b>	<b>100</b>

The above Table 1 presents the demographic and professional characteristics of the participants involved in the study. Data were collected from all 30 targeted respondents. With regard to age, two participants (n = 2; 33%) were between 18–30 years old, while half of the sample (n = 15; 50%) fell within the 31–40 age category. A smaller proportion (n = 13; 17%) were aged 41 years and above, indicating that the study included participants across a broad age range, with a concentration in early-to-mid career stages.

In terms of gender distribution, the sample comprised 12 males (33%) and 18 females (67%). This shows a higher representation of female participants, which is consistent with the gender composition commonly observed in social welfare and judicial service professions.

Regarding professional titles, the majority of participants were social workers (n = 20; 67%), while magistrates accounted for 10 respondents (33%). This distribution reflects the study’s focus on understanding perspectives from both social workers and magistrates, with a larger proportion drawn from frontline social welfare practitioners. As for educational attainment, all participants (n = 30; 100%) reported having obtained a tertiary-level qualification. This indicates a relatively well-educated participant pool and suggests that the insights provided in the study were informed by individuals with formal professional training relevant to their respective roles.

**4.1 Thematic Details of Study Findings**

**Table 2:** Major themes and sub-themes

Major Themes	Sub-themes
Roles of Social Work Practice in Divorce Court Proceedings	<ul style="list-style-type: none"> <li>• Assessments</li> <li>• Offering Expert Guidance</li> <li>• Mediation and Counselling</li> <li>• Reduce fights and disagreements between the parties</li> </ul>
Perceptions of Practitioners on the Effectiveness of Social Work Practice	<ul style="list-style-type: none"> <li>• Useful in Child Welfare Decisions.</li> <li>• Improve Quality of Judgments</li> <li>• misunderstand roles of Social work                             <ul style="list-style-type: none"> <li>• Patience</li> </ul> </li> <li>• Insufficient Knowledge of the Law</li> </ul>

Limitations of Social Work Practice in Divorce Court Proceedings	<ul style="list-style-type: none"> <li>• Client non-compliance or withholding information</li> <li>• Insufficient follow-up on recommendations</li> <li>• Lack of Transport for Field Visits</li> </ul>
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**4.2 Roles of Social Work Practice in Divorce Court Proceedings**

This theme was developed under the first objective, which aimed to explore the role of social work practice in divorce court proceedings. To address this objective, participants were asked about the specific roles that social workers play within divorce court processes. Their responses revealed several key areas of social work involvement, which were organized into the following sub-themes

1. Assessments
2. Expert Guidance

**4.2.1 Assessments**

The study revealed that assessments play a central role in social work practice within divorce court proceedings, forming the basis for child-focused and well-informed judicial decisions. Participants noted that through home visits, interviews, and risk evaluations, social workers gather essential information about family dynamics, children’s needs, and each parent’s capacity to provide appropriate care. These processes act as important safeguards, especially in situations where concerns such as neglect, violence, or emotional harm may arise. Overall, the findings show that assessments offer magistrates objective insights into the home environment and potential risks, thereby supporting decisions that uphold the best interests of the child. This was reflected in the following participants’ responses:

*“They assist us in understanding what arrangements (custody, access, support) are best for the children involved.” (Participant 1)*

*“We carry out home visits and assessments to understand family dynamics, parenting abilities, and risks.” (Participant 4)*

*“We evaluate each parent’s ability to provide a safe, stable, and nurturing environment, especially when there are concerns about neglect, violence, or substance use (Participant 6)*

*“Social workers alert us to any potential risks such as violence, neglect, or emotional harm, which is crucial when determining custody.” (Participant 7)*

**4.2.2 Expert Guidance**

Participants described the role of social workers in divorce court proceedings as essential in helping the court understand complex family issues. They emphasized that social workers provide expert insight into the emotional, psychological, and social factors that influence family decisions during divorce. Their input helps the court accurately interpret sensitive matters such as domestic violence, parenting capacity, and overall family dynamics. Participants further noted that social workers’ professional evaluations support fair and informed decision-making, ensuring that custody and visitation arrangements are based on objective assessment rather than conflict or emotion. This

understanding was reflected in participants' responses such as:

*"They help the court interpret psychosocial issues such as domestic violence, substance abuse, parenting capacity, and family dynamics." (Participant 9)*

*"They give the court professional recommendations on custody, visitation, and support services to help ensure decisions are based on facts, not emotions or conflict." (Participant 12).*

In response to **question number 2** which required to describe how social workers support the divorcing parties and their children during court proceedings, and the following theme was developed;

#### ▪ Mediation and Counselling

#### 4.2.3 Mediation and Counselling

Participants explained that social workers play a key supportive role during divorce proceedings by helping families manage conflict and communicate more effectively. They noted that mediation and counselling are central to this support, as social workers guide spouses in resolving disagreements and making decisions that prioritize the well-being of their children. Through facilitated dialogue and emotional support, social workers help reduce hostility, encourage respectful communication, and ensure a safer environment—particularly in cases involving domestic violence or child protection concerns. Participants also highlighted that this support often leads to fewer disputes reaching the court, making the legal process smoother and less adversarial. Social's role in mediation and counselling was reflected in participants' responses such as:

*"Facilitating dialogue between spouses to reduce conflict (participant 20)*

*"Assisting parties to reach agreements on parenting plans, support, and care arrangements (Participant 4).*

*"Helping the divorcing parties communicate respectfully to prevent misunderstandings and reduce hostility." (Participant 6)*

*"Developing safety plans in cases involving domestic violence or child protection concerns." (Participant 18)*

*"Their counselling work reduces the number of contested issues, which helps the court make decisions more efficiently." (Participant 11)*

- Furthermore, to satisfy the requirements of **objective one**, question number three was asked about how do social workers contribute to decision-making or judgment processes in divorce cases, the outcome of the question came out in the following sub theme;

- Reduce fights and disagreements between the parties

#### 4.2.4 Reduce fights and disagreements between the parties

Participants explained that social workers play a key role in reducing conflict between divorcing spouses by helping them communicate more calmly and respectfully. They

noted that much of this mediation work takes place at the social welfare offices, where social workers assist couples in resolving disagreements before they escalate into courtroom disputes. Participants also highlighted that guiding parents to focus on their children's wellbeing helps minimize blame and prevents minor issues from turning into larger conflicts. This conflict-reducing support was reflected in their responses such as:

*"We help couples calm down and discuss their issues respectfully at our office so that not every small disagreement ends up before the magistrate." (Participant 17)*

*"We guide parents to focus on the children's wellbeing, which helps reduce blame and unnecessary conflict." (Participant 12)*

*"We encourage both parties to sit down and talk through their problems so that minor issues do not turn into full court cases." (Participant 10)*

#### 4.3 Perceptions of Practitioners about the Effectiveness of Social Work Practice

This major theme was established under the objective number two; *to examine the perceptions of practitioners involved in divorce court proceedings regarding the effectiveness of social work practice in handling divorce cases*. Question number one was asked *as* How would you describe the effectiveness of social workers in handling divorce cases within court settings, out of which following themes were development

- Useful in Child Welfare Decisions
- Improve Quality of Judgments

##### 4.3.1 Useful in Child Welfare Decisions

Participants emphasized that social work practice is vital in supporting child-focused decision-making during divorce proceedings. They explained that social workers ensure that the needs, safety, and overall wellbeing of children are clearly presented before the court. Through assessments, home visits, and interactions with families, social workers provide information that helps magistrates understand each child's circumstances and each parent's ability to provide proper care. This child-centered input enables the court to make safer and more informed custody and care decisions. The importance of social workers in guiding child welfare decisions was reflected in participants' responses such as:

*"Social work practice is effective because it ensures that children's best interests are clearly presented, and this helps the court make safer decisions for them." (Participant 20)*

*"Social workers provide reliable information on the child's needs, living conditions, and each parent's ability to care, and the subordinate court relies on this when deciding on the child's custody and welfare." (Participant 13)*

##### 4.3.2 Improve Quality of Judgments

Participants highlighted that social work practice plays an important role in strengthening the quality of judgments made in divorce cases. They explained that the detailed assessments and reports prepared by social workers give the

court a clearer understanding of family circumstances, particularly in cases involving safety concerns, complex histories, or conflicting information. By providing structured, evidence-based input, social workers help magistrates move beyond assumptions and make decisions that are fair, well-informed, and aligned with the needs of both children and parents. This contribution to more accurate and balanced rulings was reflected in participants' responses such as:

- *"Social work input reduces guesswork and helps us base our decisions on evidence rather than assumptions."* (Participant 13)
- *"Their reports improve the overall quality of the decisions we make, especially in complex cases."* (Participant 16)
- *When asked to explain what complex cases look like, one participant noted:*
- *"Sometimes parents disagree sharply on custody, each accusing the other of being unfit. One child may want to live with the mother, while another feels safer with the father. At the same time, the family may be facing poverty, unstable housing, or a lack of extended family support."* (Participant 16)

Under objective two, question number two was asked about clients perceive the role of social workers in the court process. The answer to this question came out in the following sub theme;

- Misunderstanding Roles of Social Work

#### 4.3.3 Misunderstanding Roles of Social Work

Participants explained that many clients going through divorce proceedings often misunderstand the role of social workers within the court process. They noted that some divorcing couples assume that social workers have the authority to make legal decisions, determine custody outcomes, or interpret divorce laws. This misunderstanding creates confusion and unrealistic expectations, especially when clients approach social welfare offices seeking rulings or judgments about their divorce. Social workers emphasized that their role is limited to assessment, mediation, and support—not making court decisions. As a result, they frequently find themselves clarifying their responsibilities and directing clients back to the court for legal matters. This challenge was reflected in participants' responses such as:

- *"A number of clients think we have the power to make court decisions, so we always explain that we only provide assessments."* (Participant 26)
- *"Clients come to our office expecting us to give legal decisions on divorce, but we have to explain that we are not the court, cannot interpret the law, and cannot decide these matters—so we refer them back to the magistrate."* (Participant 20).

On the other hand, Under Objective two, Magistrates and social workers were asked about qualities or skills make social workers effective (or ineffective) in divorce court proceedings, and responses to this question came out in the following themes;

- Patience
- Insufficient Knowledge of the Law

#### 4.3.4 Patience

Patience emerged as one of the key qualities that enhance the effectiveness of social workers in divorce court proceedings. They highlighted how patience enables social workers to create a supportive environment for children,

facilitate open communication, and uphold the principle of the child's best interest. This was well explained in the following response;

*"We are patient especially with children. We allow them to express themselves and the parties understand wishes of children and law, given that best interest of children comes first"* (Participant 5).

#### 4.3.5 Insufficient Knowledge of the Law

Insufficient knowledge of legal frameworks among social workers emerged as a significant barrier affecting the quality and effectiveness of social work practice. Social workers are expected to operate at the intersection of legal, social, and human rights systems; however, gaps in legal understanding can undermine their ability to support clients appropriately and professionally. Participants in the study highlighted that many social workers lack adequate knowledge of essential laws, including custody regulations, maintenance procedures, and processes for obtaining protection orders. This was highlighted in the following statements;

*"Social work well, most of them do not understand laws such as custody laws, maintenance procedures, or protection order"* (Participant 21)

*"Okay because social lack enough knowledge about law, that cause them sometimes make procedural mistakes and recommendations that not relevant"* (Participant 17)

#### 4.4 Limitations of Social Work Practice in Divorce Court Proceedings

This major theme was established to fulfil the requirements of Objective number three; ***To identify limitations faced by social work practitioners involved in divorce court proceedings, and the first*** Question was asked about what challenges or obstacles social workers face when handling divorce cases in court. Answers to this question came out in the following themes;

- Client non-compliance or withholding information
- Insufficient follow-up on recommendations

##### 4.4.1 Client non-compliance or withholding information

Client non-compliance or withholding information emerged as another significant challenge affecting the accuracy and timeliness of social work assessments. Social workers rely heavily on clients' honesty, cooperation, and active participation to gather detailed information required for case analysis and court reporting. However, when clients intentionally hide important details, fail to attend scheduled appointments, or refuse to disclose sensitive family issues, the assessment process becomes incomplete and compromised. Such barriers not only delay case progression but also undermine the reliability of recommendations submitted to the courts. This concern was reflected in the following statements:

*"Some clients deliberately hide important details because they want the court to side with them, and this affects the accuracy of our reports and Making it difficult to prepare accurate recommendations."* (Participant 9)

*"When clients do not follow through with*

*appointments or refuse to disclose family issues, it becomes challenging to complete assessments on time.” (Participant 14)*

#### 4.4.2 Insufficient follow-up on recommendations

On participant revealed that insufficient follow-up on court recommendations remains a major gap in the child protection system. Although courts may provide clear directives aimed at safeguarding the child’s wellbeing, these recommendations are often not monitored or evaluated once the case leaves the courtroom. Evidence is in the following narrative;

*“We have change of sometimes Lack of monitoring especially once the case has left the court, this usually affects decisions on child welfare” (Participant 4)*

A question was asked about *how resource-related issues affect social workers’ ability to perform effectively*, the outcome came out in this following

- Lack of Transport for Field Visits

#### 4.4.3 Lack of Transport for Field Visits

A major resource-related challenge highlighted by participants was the persistent lack of transport for conducting essential field activities. Social workers explained that without reliable transportation, they are unable to carry out home assessments, monitor child placements, or follow up on court directives in a timely and effective manner. This limitation significantly slows case management processes and undermines the quality of information available to both social workers and the courts, ultimately affecting decisions made in the best interest of the child. The impact of this challenge was captured in the following responses:

- *“Sometimes we have cases pending for weeks because we cannot travel to assess the child’s home situation due to transport issues, and this usually delays the whole process.” (Participant 30)*
- *“We are expected to check on children after court decisions, but without transport we just rely on phone calls, which is not enough to see the real situation “(participant 8)*

### 5. To Explore the Role of Social Work Practice in Divorce Court Proceedings

The findings showed that assessments form a foundational component of social work practice in divorce court proceedings. Participants indicated that social workers conduct home visits, interviews, and risk evaluations to understand parenting capacity, family dynamics, and potential risks such as violence, neglect, or emotional harm. These assessments serve as safeguards and provide magistrates with objective information that supports child-centered judicial decisions.

These results align closely with the literature, which consistently underscores the importance of social inquiry assessments in family and child welfare cases. According to Brown, Crawford, and Darong (2017), social workers play a critical investigative role by gathering psychosocial information that courts cannot obtain independently. Similarly, Dlamini and Sewpaul (2015) argue that assessments bridge the gap between legal processes and the lived realities of families, ensuring that decisions reflect the child’s best interests rather than surface-level courtroom

narratives. The findings also resonate with UNICEF (2018) [48], which highlights that accurate assessment reports are crucial for identifying risks and informing custody arrangements, especially in contexts where neglect or domestic violence may be present.

Participants described social workers as providers of expert guidance to the court, particularly concerning complex psychosocial issues such as domestic violence, substance abuse, and emotional instability within families. Their professional evaluations help courts interpret family dynamics beyond the legal lens, ensuring that decisions are not driven solely by conflict or emotional narratives presented by the parties. The literature strongly supports this role. According to Laird and Gilbert (2012), social workers bring specialized knowledge that helps courts contextualize behaviour, risk factors, and emotional needs within families experiencing conflict. Likewise, Osei-Hwedie and Rankopo (2008) highlight that social workers’ professional expertise strengthens judicial processes by offering evidence-based recommendations that prioritize child welfare. These findings also echo Harkness and Super (2010), who emphasize that psychosocial expertise is essential for understanding the emotional and developmental needs of children affected by parental separation.

In addressing the second research question—how social workers support divorcing parties and their children—participants highlighted mediation and counselling as central roles. Social workers help families manage conflict, communicate effectively, and make decisions that prioritize children’s well-being. Through facilitated dialogue, they reduce hostility and assist parents in developing workable parenting plans. Participants also noted that in cases involving domestic violence or child protection concerns, social workers help develop safety plans and ensure protective measures are in place. These findings are strongly supported by literature. Nkosi and Kanje (2020) observed that mediation provided by social workers reduces contested issues and prevents unnecessary court battles. Similarly, Dlamini and Sewpaul (2015) found that counselling interventions reduce emotional distress and improve cooperation between divorcing parents. UNICEF (2018) [48] also highlights the role of social workers in creating safe negotiation spaces to prevent harm and protect vulnerable family members. These scholars emphasize that mediation minimizes adversarial tension and fosters constructive problem-solving, aligning well with the participants’ descriptions.

Participants further explained that social workers help reduce conflict between divorcing spouses, often resolving disputes before they reach the courtroom. By guiding parents to focus on their children’s needs and encouraging them to communicate respectfully, social workers prevent minor disagreements from escalating into full court cases. This conflict-reducing role contributes to smoother judicial processes and more focused deliberations before the magistrate. Literature supports these observations. For example; According to Brown *et al.* (2017), social workers act as mediators who de-escalate conflict and redirect parental focus toward children’s welfare. Osei-Hwedie and Rankopo (2008) similarly argue that reducing parental conflict contributes to more stable post-divorce arrangements, while UNICEF (2018) [48] emphasizes that social workers’ conflict-management efforts reduce the burden on courts and prevent prolonged litigation. These

studies echo the participants' accounts and affirm that social workers play an essential preventive and stabilizing role in divorce contexts.

### 5.1 To Examine the Perceptions of Practitioners Involved in Divorce Court Proceedings Regarding the Effectiveness of Social Work Practice in Handling Divorce Cases.

Participants emphasized that social work practice plays a fundamental role in ensuring that child welfare remains central to divorce court decisions. Through home visits, interviews, and interaction with families, social workers help the court understand the child's needs, safety concerns, and the caregiving abilities of each parent. These findings point to the *child-centred function of social work*, in which practitioners act as the court's "eyes and ears" in the community. These results align with Jagers *et al.* (2021) [22], who found that social workers embedded in U.S. family courts contributed significantly to case preparation by providing insights into children's welfare and parental functioning—information the court would otherwise be unable to gather firsthand. Similarly, Prescott (2013) [42] emphasized that social workers serve as crucial expert witnesses, helping courts interpret family dynamics and identify risks such as neglect or domestic violence. Although Prescott's focus was not specifically divorce, the parallels lie in the social worker's role in clarifying child-related risks.

Furthermore, findings from Dantas *et al.* (2023) [10] and Kirchesch & Sani (2023) [24] in Brazil show that psychosocial professionals are essential in custody-related cases because they help courts understand emotional and behavioral indicators affecting children. While their studies centered on psychologists rather than social workers, their conclusions support the current finding that courts rely on professionals trained in family dynamics to inform safe custody decisions.

Participants also highlighted that social work practice enhances the *quality and fairness of judicial decisions* in divorce cases. Detailed assessments, evidence-based reports, and structured recommendations help magistrates move beyond parental accusations or emotional narratives. This is particularly crucial in cases involving complex family histories, allegations of unfitness, or competing preferences among children. These findings mirror those of Prescott (2013) [42], who argued that courts make more defensible and evidence-based judgments when supported by professional social inquiry assessments. Similarly, Jagers *et al.* (2021) [22] found that social workers significantly improved judicial decision-making by offering accurate and timely information that clarified parental abilities and family risks. Mupenda (2011) [33] and the later UNICEF-supported DRC child protection review also emphasized that collaboration between social welfare and judicial systems improves case outcomes, particularly when courts rely on social workers for risk assessment and family investigations. Although these studies did not examine divorce specifically, they confirm that judicial decisions are strengthened when informed by social workers' reports.

Participants reported that many clients misunderstand the role of social workers, often assuming that they have authority to interpret the law, issue custody rulings, or make divorce decisions. This misunderstanding contributes to unrealistic expectations and sometimes frustration when

clients are redirected to magistrates. This challenge is well documented in literature. Osei-Hwedie & Rankopo (2008) found that service users frequently confuse social workers' responsibilities with legal authority, especially in societies where public awareness of professional roles is limited. Kirchesch & Sani (2023) [24] similarly highlighted that unclear professional mandates undermine the effectiveness of psychosocial professionals in family courts, as clients expect them to solve legal disputes.

The study found that *patience* is perceived as a critical quality that enhances the effectiveness of social workers in divorce cases. Participants explained that patience helps social workers create safe spaces for children, handle emotional parents, and facilitate clearer communication. This finding is consistent with Prescott (2013) [42], who emphasized that effective court social work requires emotional regulation, calm engagement with distressed families, and the ability to listen deeply during assessments. Similarly, Jagers *et al.* (2021) [22] identified interpersonal sensitivity—including patience—as one of the qualities that improve collaboration between social workers and families navigating court processes.

Participants noted that limited knowledge of custody laws, maintenance procedures, and protection order processes undermines the quality of assessments and recommendations. Legal gaps were seen as contributing to procedural mistakes and less effective practice. This finding is strongly supported by literature. Prescott (2013) [42] questioned whether social workers serving as expert witnesses were adequately trained in legal standards, noting that insufficient legal knowledge can weaken court credibility. Mupenda (2011) [33] also emphasized that weak integration between legal and social welfare systems in African contexts often reflects inadequate legal literacy among social service practitioners. Similarly, Kirchesch & Sani (2023) [24] highlighted that effectiveness in parental-alienation cases was hindered by unclear mandates and insufficient training of psychosocial professionals.

### 5.2 To Identify Limitations Faced by Social Work Practitioners Involved in Divorce Court Proceedings

From the practitioners' perspective, client non-compliance and withholding of information emerged as a central challenge that directly affects the accuracy, completeness, and timeliness of social work assessments. Social workers described how missed appointments, intentional concealment of family issues, and selective disclosure made it difficult to gather reliable facts for court reports. The implication of this is that social workers are forced to work with partial or distorted narratives, which delays case progression and weakens the evidential basis of their recommendations. In other words, even where social workers have the skills and tools to conduct thorough assessments, the quality of their work is constrained by the degree of client cooperation.

These findings are strongly echoed in Ibrahim (2019) [20], who, in examining client resistance patterns at Family Court in Egypt, found that social workers frequently encounter pervasive resistance, mistrust, and reluctance to engage fully with psychosocial processes. Ibrahim noted that resistance not only slowed case handling but also limited social workers' ability to offer meaningful interventions, as clients often withheld key information or rejected proposed solutions. While Ibrahim focused specifically on resistance,

the current study confirms that similar patterns exist in Lusaka's divorce courts and extends the analysis by showing how non-compliance intertwines with timeliness of reports and the overall reliability of recommendations submitted to the court. In both contexts, client behaviour is not just an interpersonal issue but a structural limitation on the effectiveness of social work in legal settings.

The study also revealed that insufficient follow-up on court recommendations remains a major gap in the child protection and divorce court system. Social workers and magistrates recognized that, although court orders may be clear and child-focused, there is often no systematic mechanism to monitor whether these directives are implemented once the case leaves the courtroom. As a result, decisions intended to protect children may not translate into actual changes on the ground, and courts later lack updated information to review or revise earlier judgments. This limitation resonates with international findings on weak cooperation frameworks and unclear mandates. The FRA study on Child-Friendly Justice in Poland highlighted that overloaded caseloads and poorly defined coordination between courts and psychosocial professionals hinder consistent follow-up in child-related cases. Similarly, Singer (2023) [44], in the Swedish context, showed that social services staff operate within unclear mandates and underused mediation mechanisms, making it difficult to sustain structured involvement once a case moves beyond the immediate court process. Although these studies are not specific to Zambia, they underscore a shared pattern: psychosocial professionals are expected to support court decisions, but the systems for long-term monitoring and inter-agency collaboration are weak or fragmented.

In North African settings, Grosso (2022) [19] and Voorhoeve's (2019) [51] documented how, in Tunisia, divorce and custody decisions are largely dominated by judges and legal doctrine, with minimal and unstructured psychosocial follow-up. Their work suggests that even where formal rulings exist, there is little consistency in how families are supported or monitored after judgment. Likewise, in Zambia, the UNICEF/EPRI (2018) [48] Assessment of Case Management Systems identified systemic weaknesses such as poorly defined standard operating procedures and fragmented coordination between justice and welfare sectors. The current study links these macro-level gaps to the micro-level experience of social workers in Lusaka's divorce courts, showing that the absence of structured follow-up mechanisms directly affects child welfare decisions over time. A further limitation highlighted by participants is the persistent lack of transport for conducting home visits, monitoring placements, and following up on court orders. Social workers explained that without reliable transportation, they are unable to verify children's home environments, assess whether court directives are being implemented, or detect new risks that arise after judgment. This leads to delays, incomplete assessments, and increased reliance on phone calls or second-hand information, which may not accurately reflect the child's situation.

These findings closely mirror resource-related constraints documented in other justice and welfare settings. In Zambia, Muyobela's (2017) [34] found that social welfare officers working with incarcerated child offenders faced chronic staff shortages, inadequate infrastructure, and material constraints, all of which limited their ability to conduct

meaningful rehabilitation and supervision. Although his study focused on juvenile justice rather than divorce courts, the underlying problem is similar: without transport and basic logistical support, social workers cannot effectively implement or monitor court decisions. The UNICEF/EPRI (2018) [48] assessment similarly highlighted limited material resources and weak case management systems as major obstacles in responding to the needs of vulnerable children and adolescents. These structural weaknesses—particularly in transport, staffing, and operational budgets—are consistent with participants' accounts of delayed home visits and pending cases in Lusaka due to lack of transport. In European contexts, the FRA's work in Poland and Singer's analysis in Sweden also indirectly point to resource and workload pressures that constrain the ability of social and psychosocial professionals to provide consistent, field-based support in family cases.

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