Marilyn Bryant - Response ID 1062

August 28

2014

Please provide more information on the violation of your right to hold opinions without interference : "On the witness stand via speaker phone, I went to elaborate my affidavit & my answer to a question which would had exposed the truth, but both the ICL & Crown Barrister closed me down so that I could not finish what I was saying".

Senate Inquiry into Children in Out of Home Care - 2014

Do you want this Submission to the Senate Inquiry to be "In Confidence" ?	No
Please select the role which best suits you, in relation to your statutory child protection dealings	Grandparents

PERSONAL INFORMATION

Your first name	Marilyn
Your surname	Bryant
Your mobile phone number	[redacted]
Your home phone	[redacted]
Email address	[redacted]
Address	[redacted]
Suburb	[redacted]
Postcode	[redacted]
State	[redacted]
Country	Australia
Are you a former "Child in Care"?	No
Do you have a disability?	No
Parents nationality	Australian
Nationality of children removed	Australian

Details of the children in out of home care :

Child 1[Name of child]	[redacted]
Child 1[Date of birth]	[redacted]
Child 1[Age removed]	3 1/2
Child 1[How many placements?]	one
Child 1[Abused in care?]	suspected

TABLE OF CONTENTS

Please click any statements that relate to your dealings with child protection practitioners :

- I have been separated from my children through the means of false claims by child protection workers. Yes
- I have been improperly treated and generally abused by child protection workers. Yes
- I am stating that my case is a matter of public interest. Yes
- I can prove child protection workers have acted negligently giving rise to civil claim. Yes
- I state there has been a serious miscarriage of justice. Yes
- I state child protection workers have continued in blatant dishonest reporting. Yes
- I state child protection workers have fabricated evidence. Yes
- I state that child protection workers have shown extreme bias. Yes
- I state there has been abuse of power by child protection workers. Yes
- I state there has been cover up of the department's approved placement. Yes
- I state child protection workers have perverted the course of justice. Yes
- I state child protection workers have covered abuse by a carer. Yes
- I state the department have failed in their duty of care to the children. Yes
- I state there has been alienation of child from the maternal / Yes

paternal family members.

- I state there is a failure to notify parents of hospitalisation of child / children by child protection workers. Yes
- I state that I am requesting an independent and thorough audit of the case I am providing details about. Yes
- Other No formal assessment carried through to higher authorities

COMMUNITY INTERACTION WITH CASEWORKERS

What state / territory removed the child / children? New South Wales

Office location of the department concerned [redacted]

- Did caseworkers investigate the case thoroughly prior to removing the child / children? No

Please explain how they failed to investigate the case properly prior to removing the child / children :

They did not check to see if any of the allegations were true before they took the child / children into care. Nor did they offer any intervention or support prior to removing the child / children.

- Did caseworkers investigate the case thoroughly after the removing the child / children into out of home care ? No

Please explain how they failed to investigate the case properly after the child / children had been removed :

They went on false allegations made by Mental Health [redacted] that were untrue & expanded upon this original false report, there was a major failure in following up any investigation, basically none.

- Did caseworkers work with you for a better outcome for you and your family? No
- Did caseworkers work against you? Yes
- Did they provide any support services to prevent the child / children being taken into care ? No
- Did child protection caseworkers keep you informed about what was happening with your children? No

Could you please explain what you mean by they didn't keep you informed about your children while they were/are in out of home care.

There was no information at all of the whereabouts, health, education, or wellbeing of my granddaughter, even after requests were made of the wellbeing of [redacted] it was not forthcoming.

- Did they listen to you and respond to your concerns? No

What concerns did they ignore or not respond to you about?

They ignored the concerns raised about [redacted] being continually ill in care, when she was as healthy as before being removed, bite marks on her arm & unexplained grazes on her body. Also that I could prove that there was never any DV in the home that was originally falsely reported.

- Did caseworkers provide the opportunity to have the child / children returned? No
- When child protection turned up and removed the child, was this the first time you were aware they were going to do this? Yes
- Do you believe that caseworkers broke any laws ? Yes

Which laws do you believe they broke ?

- Children and Young Persons Act - False or misleading statements. Yes
- Civil Liability Act - Tort and Trespass. Yes
- Crimes Act - Child Abduction. Yes
- Crimes Act - Blackmail offence. Yes
- Crimes Act - Fraud. Yes
- Crimes (Hostages) Act - Hostage taking. Yes
- Crimes Act - Perverting the course of justice. Yes
- Crimes Act - Offence of perjury. Yes
- Crimes Act - Providing false instruments by public official (Public authority giving false information to another public authority). Yes
- Misconduct under a Public Sector Employment and Management Act. Yes
- Dishonesty. Yes
- Recklessness. Yes
- Other [redacted]

Use this section to explain exactly what was done or not done that constituted criminal offences by the child protection workers.

They deliberately gave misleading & false information to the court, aslo never provided their higher authorities with both the Kin assessments of myself or my partner to care for [redacted]

Consider the personal circumstances of your case and describe how you believe your experience of forced removal could have been better managed.

A thorough investigation & thorough consultation without assuming false reports to be true & those caseworkers must be registered & follow proper policies & procedures to ensure mistakes are not made.

- Have caseworkers persecuted or threatened you, or cut contact with removed children because you have expressed opinions that are contrary to their beliefs? — Yes

What have caseworkers done when you have exercised your fundamental right because you expressed opinions contrary to their belief?

- Caseworkers have submitted affidavits to the court over expressing opinions contrary to theirs — Yes
- Caseworkers have cut contact with the child / children in out of home care — Yes
- Other — [redacted] threatened to limit my contact visits with [redacted] on several occasions because I have spoken the truth against them.

Do any of the below statements reflect the ways you were treated by child protection workers?

- They lied in affidavits. — Yes
- They lied in reports. — Yes
- They only provided what information suited them to court report writers (IE Family Relationships Australia). — Yes
- They caused reports to be inaccurate due to only providing information that suited their agenda. — Yes
- Ignored abuse concerns because it did not suit their agenda. — Yes
- Vindictiveness. — Yes
- Sarcasm. — Yes
- Belittling parents. — Yes
- Putting their own best interests first before those of your child/children/family. — Yes
- Did they tolerate aspects of your life that were different to theirs? (eg. race, poverty, education level) — Yes
- Continues to make judgements about you. — Yes
- Displaying an inability or lack of willingness to accept the positive changes parents may have made. — Yes
- Expect parents to work “with” them BUT they won’t work “with” parents. — Yes
- Refusal to provide a change of child protection workers when personalities clash. — Yes
- Discriminating against parents with mental illness. — Yes
- Using “the best interests of the child” to justify whatever they do even when clearly it’s not. — Yes
- Inflexible working hours – evenings and weekends would enable them to work “with” parents and their work commitments. — Yes

- Where there has been no harm, you are treated in the same disrespectful ways as those who have actually harmed their children. — Yes
- The child protection workers assumed you were a bad parent though you had done nothing wrong. — Yes
- The child protection workers chose not to accept the positive statements of family members even though they were true. — Yes
- The child protection workers chose to accept false statements of family members even though they were NOT true. — Yes

Caseworkers interaction with the child / children

- Did caseworkers interview the child / children on their own? — Yes
- Were there two caseworkers interviewing the child / children? — Yes
- Were copies of the interview of the child / children made available to you? — Yes
- Was the child / children asked if they would like to have a support person present with them at the time of interview — No

Questions regarding interviewing of parents by caseworkers

- Was the parent / parents interviewed without a support person being present? — No
- Did you request a support person? — No
- Was your request to have a support person denied? — No
- Were there two caseworkers present at the interview? — No
- Did the caseworkers rely on any disclosure (allegedly) made by the child after the interview with the two caseworkers? — I don't know
- Did you want to record interviews? — Yes
- Did you ask if you could record interviews? — No
- Were you allowed to record interviews? — No
- If the interview was recorded would that have helped you evidence lies told or written by the caseworkers in court? — Yes
- Do you believe that recording all contact caseworkers have with families would make the system fair and more honest? — Yes
- Do you believe that caseworkers are getting away with misconduct and other criminal activities because there is no way of proving what has been communicated by the caseworker? — Yes

Some parents are told that if they separate or divorce, they would have a better chance of getting

the child / children returned.

• Were the parents accused of having domestic violence issues?	Yes
• Were the allegations false?	Yes
• Were you or the parents told that separation or divorce would provide a better chance of having the child / children returned by the caseworker?	Yes
• Were you or the parents told that separation or divorce would provide a better chance of having the child / children returned by their lawyer?	Yes
• Did the parents separate or divorce?	Uncertain
• Was there any change in circumstances for abiding by the requests of the caseworker regarding the separation or divorce?	Uncertain
• Was the child / children returned because of the divorce / separation?	Uncertain
• Was one of the parents told to take out a restraining or domestic violence order to better their chances of having the child / children returned?	Uncertain
• Did a parent take out a restraining or domestic violence order because they were asked to?	Yes
• Was the child / children returned because of the restraining or domestic violence order?	Uncertain
• Was there any chance in circumstances for abiding by the requests of the caseworker regarding the restraining or domestic violence order?	Uncertain
• Was the child / children returned to the perpetrator of domestic violence or abuser or known paedophile?	Uncertain

How would you describe the conduct of the child protection caseworker in the courts?

• Did subpoenaed caseworkers turn up for cross-examination in court proceedings?	Yes
• Did they lie under oath?	Yes
• Was the caseworkers evidence based on fact ?	Uncertain
• Was the caseworkers evidence based on hearsay?	Uncertain
• Was the caseworker prepared to proceed on the day?	Yes
• Did the caseworker or their legal representative request adjournments?	Yes
• Did the caseworker omit facts relevant to the case that would have painted you or the parents in a more positive light?	Yes
• Did the caseworker bring any new information into court when being questioned that was not in previous affidavits or spoken about?	Yes
• Were reports received in time frames ordered by the	Uncertain

court?

- Did the court material contain uncorroborated stories about you? Yes
- Did the court material have an objective approach? Uncertain
- Did the court material have a subjective approach aimed at demeaning and belittling you? Yes
- While caseworkers were being questioned, did the courts allow the other workers to take notes and discuss matters? Yes
- Did the caseworker allow the child to be present at the court hearings? Uncertain
- Was the caseworker dressed appropriately for such court proceedings? Yes
- Did they hug each other when they won their case against you and your family? Yes
- Did they hi-five each other when they won their case? Yes
- Did they hug the other party whom they wanted the child to live with when they won their case? Uncertain
- Did the caseworker seem smug and pleased with them self after the court case? Yes
- Did they tell you the truth or write truthful Affidavits? No

Please explain how the caseworkers did not tell the truth in affidavits, or were not truthful.

Statements in Affidavits of what I was purported to have said were untrue. I was questioned as a witness via speaker phone of things unrelated to the removal of my granddaughter [redacted]

FAMILY IMPACT STATEMENT

- Was the child removed without consent? Yes
- Was the child adopted? No
- Has there been talk of adopting the child? yes
- Has this been by the caseworker? yes
- Has this been by the NGO? no
- Have you told them your objections to the adoption? yes
- Do you think the adoption is necessary? no
- Do you think the adoption will damage the child's long-term future? yes

What were the reasons for the removal of the child/children?

- Domestic violence Yes
- At risk of emotional harm Yes
- Mental health issues Yes
- POSSIBLE FUTURE RISK OF HARM Yes

- I am a former ward of the state, and caseworkers tell me that i have no parenting skills — Yes
- Were the allegations false? — Yes

Were you charged with child abuse?

- Were you charged with child abuse? — No
- Were you charged with neglecting the child / children? — No
- Were you charged with child abandonment? — No
- Were you convicted of child abuse? — No
- Were you convicted of neglecting the child / children? — No
- Were you convicted of child abandonment? — No
- Were you convicted of anything at all relating to the removal of the child / children? — No

Did the caseworkers continue to raise the bar on you?

- Were you ever given a single list of things you needed to do / not do in order to have the child / children returned? — No
- Did the caseworkers continually add to the list of requirements for you to do in order to have the child / children returned? — No
- Were you able to complete the list of requirements set by the caseworker? — Uncertain
- Was this because the list was never ending? — No
- Did completing the caseworker's requirements of you enable the child / children to be returned? — Uncertain
- Did the reasons child protection gave to magistrates, to warrant keeping the child / children in out of home care continued to change with each court case? — Uncertain
- Was it difficult to address the issues in court because they kept changing (raising the bar)? — Yes
- If the department did not provide you with any information about what you need to do to get your children back, did you do courses yourself to improve your parenting skills? — Uncertain
- Were you consulted about your child's Care Plan? — Uncertain
- Did you receive Affidavits and care plans in enough time to respond to the court? — Uncertain
- Was your case continually adjourned by the department because they were not ready to proceed? — Uncertain
- Did your solicitor or ICL object to the departments request for more time? — Uncertain
- Did the court grant adjournments to the department on the basis that they were very busy?

- Was that in your child's best interest? — Uncertain
- Did the department argue that because your child had been in care for a year or more that it was not in the child's best interest to be returned to you because it would unsettle their placement? — Yes

Access to support services :

- Did the department require you to complete any courses? — No
- Did they improve your parenting skills? — No
- Did you have an opportunity to put your new skills into practice with your child at home? — No
- When you completed all the department asked did you get your children back? — No
- Did the department assist you to do what they required of you? — Uncertain
- Did they encourage and support you to do what was required of you? — Uncertain
- Did it make a difference in getting your children back? — Uncertain
- Were the parents prevented from having any support persons at any meetings / conferences or court proceedings related to the removal of the child / children? — Yes

What has been the impact on you since the child was taken away and placed into foster care?

- Lack of Trust — Yes
- Emotional abuse — Yes
- Excessive crying — Yes
- Sadness — Yes
- Withdrawal — Yes
- Depression — Yes
- Physical health problems — Yes
- Low self-esteem — Yes
- Trust issues — Yes
- Other — Lack of trust for authorities like DoCS/MH/Police
- Has there been short or long-term emotional impacts because of the care proceedings and forced removal you have experienced? — Yes

What has been the short or long-term emotional impacts of the care proceedings and forced removal you have experienced?

- Grief — Yes
- Loss — Yes

- Pain — Yes
- Anger — Yes
- Fear — Yes
- Frustration — Yes
- Difficulties sleeping — Yes
- Difficulties eating — Yes
- Difficulties working — Yes
- Post Traumatic Stress — Yes
- Loss of enjoyment of life — Yes
- Little interest in anything — Yes
- Feels like life revolves around courts and caseworkers — Yes
- Feelings of mental and psychological torture by caseworkers — Yes
- Feelings of injustice — Yes
- Feelings of inadequacy for being unable to protection your children — Yes
- Sometimes don't want to get out of bed — Yes
- General suffering — Yes
- Other — enjoyment in life has suffered greatly.

- Were you offered professional help such as grief counselling to deal with your loss? — No

- Has there been a negative physical impact on you caused by the forced removal of the child? — Yes

Describe any short or long term physical impacts of the care proceedings and forced removal:

Have grown a tumour & kidney stones & awaiting surgical intervention brought on by extreme shock & stress by forced of removal of granddaughter.

- Has there been a negative financial impact on your family due to care and protection proceedings? — Yes

Financial short and long term impact of the care proceedings and forced removal:

Travel expenses & wear & tear on vehicle. Counsellor intervention as well for trauma.

- Did you have a partner at the time of the removal? — Yes
- Has the loss of your child or children had an effect on your relationship with your partner? — Yes

How would you describe the effect that child protection intervention has had on the relationship between you and your partner (at the time of removal)?

- Short-term effect of the removal of the child / children — Negative impact

- Overall long-term effect of the removal and continued court proceedings — Negative impact
- Effect upon the communication between the couple — Negative impact
- Effect upon personal ability and inner-strength — Negative impact

If you would like to write more here, please do so

The forced removal has created a communication breakdown that was not there prior.

- Has there been a negative impact on the relationship with your extended family and friends, caused by child protection's removal and court proceedings? — Yes
- Have your relatives coped with their own loss caused by the forced removal? — No
- Have you had to move home or town because of child protection involvement? — No

What would have been a better solution in your case then forced removal?

To place [redacted] in the care of her Grandparents as myself & her grandfather instead of being placed into care. There was no involvement prior to the forced removal of [redacted] by [redacted] to have myself care for [redacted] until court proceedings & investigations were completed.

Is there anything else you would like to say concerning the removal?

[redacted] great grandmother at the ripe old age of 92 health has severely deteriorated since the forced removal of [redacted] & is worried that she may not live long enough to see [redacted] again if not placed back with her parents. [redacted] also was not allowed to attend a great uncles funeral who had suddenly died & was one of her favourite uncles. In which she is still unaware of that he has died.

More information about the long term impact of the care proceedings and forced removal:

I have Kept [redacted] room as the same hoping she will return soon to use it when she visits & stays. No other extended family are allowed to see her anymore, including her young cousins who think [redacted] has died. Aunts & uncles, cousins & grandparents have had no more contact with [redacted] since forced removal & vice versa, as she is not allowed to.

- How many placements has the child / children had ? — one
- How many caseworkers has the child / children had ? — Two [redacted]
- How often does the caseworker see the child / client? — Unsure, not that often.
- Does the child / children know who their caseworker is? — No

KINSHIP CARE OPTIONS GIVEN TO FAMILY MEMBERS

- Did you have a relationship with the child / children, prior to them being placed in foster care ? — Yes
- Did you apply for kinship care of the child / children ? — Yes
- Was there a formal assessment done for you to be assessed as a kinship carer for the Child/Children in Out of — Yes

Home Care?	
• Were you denied or rejected for kinship placement of the child / children ?	Yes

What were the reasons for not allowing you to be the kinship carer ?

• Other	No reason, as the kinship placement assessment was done by [redacted] & was not forwarded onto higher authorities to be formally assessed & finalised.

CONTACT WITH CHILDREN IN OUT OF HOME CARE

General questions about the removal of the child / children :

• Was your child / children placed in care in the state you resided in?	Yes
• Have you been allowed to have phone contact with the child / children in care?	No
• Have you been allowed to have SKYPE contact with the child / children in care?	No
• Did you loose your public housing after the child / children was removed?	No
• Did you lose your income after the child was removed?	No
• Did the department assist you to have your child / children placed in the state you reside in?	No
• Did they allow an interstate transfer of your child in care?	No
• Have you been granted a Case Review by a Regional Director or other ?	No
• Have you applied to have the child / children returned to your care ?	Yes
• Did the Court allow you to proceed to a hearing for your restoration application?	No
• Did the department oppose your application for restoration?	Yes
• Did the department seek orders till the child was 18 years from the time they were removed?	Yes
• Did you have problems trying to find a good solicitor that was prepared to fight for you in the Care Court?	Yes
• Was your Legal Aid cut off during court procedures?	No
• Do you understand the system?	No
• Have caseworkers undermined you to your children in care?	Yes
• Have the children been divided into different placements ?	No
• Have your children been managed by an NGO (non-government organisation eg CatholicCare / Barnardos	No

etc)?

- Has your child in care received appropriate medical treatment while in care? — Uncertain
- Has your child had to change schools while in care? — Uncertain

Does the child / children ever ask to come home?

- Yes — Yes
- All the time — Yes
- Cries to come home at contact regularly — Yes
- Begs to come home — Yes
- Asks why they cannot come home — Yes
- Other — Is very emotional & upset that he has to leave my side, sometimes clinging to me to take her home.

What has happened if the child has asked to come home, or kicked and screamed or tried to stay with you at the end of contact?

- The worker empathises with the child and helps him / her to deal with his / her emotions — Yes
- The worker documents the child's wishes to go home and ensures that his / her views are heard — Yes
- The worker threatens to cut contact — Yes
- The worker does and has cut contact — Yes
- The worker has used the child's wishes to come home against him/her, and used that as a reason to cut contact by saying the child is continually upset at the end of contact and it makes it difficult for foster carer. — Yes
- The worker continues to make notes in her book that will eventually be used against the parents in some form or another. — Yes
- Other — worker changes subject
- Do you currently have contact with the child / children in out of home care? — Yes

How much contact are you having with the child / children currently in Out of Home Care

- Every three months — Yes
- Other — Was originally weekly, then fortnightly, now quarterly since final orders.

For how long do you get contact with the child / children in out-of-home care?

- Two hours contact — Yes
- Depends on how late they are — Yes
- Other — Worker has arrived over half an hour late & time has never been made up & no excuse

made either.

What has been the impact on the child / children since they were placed into foster care?

• Lack of Trust	Yes
• Sexual abuse	Yes
• Physical abuse	Yes
• Emotional abuse	Yes
• Excessive crying	Yes
• Sadness	Yes
• Withdrawal	Yes
• Failure to attach	Yes
• Physical health problems	Yes
• Low self-esteem	Yes
• Complex trauma	Yes
• Post Traumatic Stress Disorder	Yes
• Attachment disorder	Yes
• Violent behaviour	Yes
• Other	Violent behaviour directed at carers. Nightmares, wetting the bed at night, emotionally & educationally regressed since forced removal.
• In your opinion has there been an emotional impact on the child / children as a result of being placed in foster care ?	Yes

In your opinion, what has been the short or long-term emotional impacts on the removed children because of the care proceedings and forced removal?

• Grief	Yes
• Loss	Yes
• Pain	Yes
• Anger	Yes
• Fear	Yes
• Frustration	Yes
• Depression	Yes
• Stress	Yes
• Wetting the bed	Yes
• Nightmares and bad dreams	Yes
• Lower school grades	Yes
• Difficulties sleeping	Yes
• Difficulties eating	Yes
• Post Traumatic Stress	Yes
• Feelings of inadequacy for being unable to protection your children	Yes

- General suffering — Yes
- Other — [redacted] (4 years old) ,has come into contact visits with dark circles under her eyes, very sickly looking, has told me she has nightmares now and cries a lot.
- Have you ever written to the child in out of home care, or sent letters or money or gifts? — No
- Were there ever any hassles with giving the gifts, cards, money or similar to the child? — Yes

What were the issues you encountered whilst trying to give your presents, money, gifts, letters to the child in care?

- Items were opened and things were missing that should have been given to the child in out of home care — Yes
- Other — Gifts such as toys have mysteriously gone missing once [redacted] was foster care house.

Other information pertinent to the child receiving gifts sent to them by family members :

- Did you ask for a receipt? — No
- Did the caseworker give you a receipt for any gifts you provided? — No
- Were you allowed to give the child / children the gifts / cards / letters ? — Yes
- Did the child actually receive the gifts / cards / letters ? — Uncertain
- Do you believe they stole the money or gifts? — Yes

How much contact does the child / children have with extended family now they are in out-of-home care ?

- Not at all — Yes

Have you been told any of the below rules, or similar, by child protection caseworkers ?

- You cannot talk to the child about the past. — Yes
- You cannot talk to the child about the case or why they were removed. — Yes
- You are not allowed to change a child with out someone being present. — Yes
- You must leave toilet door open. — Yes
- You are not allowed to take photos. — Yes
- You are not allowed to take photos of any injury your child has. — Yes
- You are not allowed to record the contact visit. — Yes
- You are not allowed to whisper anything to your child. — Yes
- You are not allowed to talk to each other outside of the contact room. — Yes
- No cuddles or not too many. — Uncertain

- You must talk loud enough for the supervisor to hear. Yes
- You are not allowed to tell child the truth about questions they ask. Yes
- You are not allowed to bring any other children or relatives into contact. Yes
- Any additional children or relatives visiting the child / children must be approved by the caseworker first. Yes
- You cannot hold a Birthday party for your child as their friends and extended family cannot attend the contact. Yes
- You are not allowed to ask how there going at school. Uncertain
- You are not allowed to ask about their placement. Yes

Where there any other rules you were told by the caseworker or contact superviser?

1. To provide fresh healthy food & drinks, although carer provides junk food for contact visits.
2. Not to talk about court or about coming home.
3. not to talk about her mother as [redacted] mother has separate contact visits.

What happened to your contact if any rules were broken?

Contact was either terminated or made from weekly to fortnightly

- Has contact been cancelled for breaking the rules? Yes

What where other reasons given for cancelling contact?

My son ([redacted] father) who I have combined contact visits with for [redacted] mentioned to [redacted] "do you have any Lego at the other (carers) house". First warning, then asked her "do you ride your bike in the park" as she fell off on the road at carers house. Supervisor terminated the contact visit there & then for no reason including myself.

I also brought in home made healthy small cakes & was told if I bring them in again, no more visits with [redacted]

Other family contact for special occasions :

- Have you been allowed contact on special days such as the Child's Birthday, Mother's Day, Fathers Day, your Birthday and Christmas Day? No
- If a member of your family or extended family has died have the children been allowed to attend the Funeral? No
- If a member of your family or extended family has been ill or in hospital has the child been allowed to visit them? No
- If the child has been hospitalised whilst in care, has immediate or extended family been allowed to visit them? No

Describe your experience of direct or indirect contact with your child or children following the care proceedings and forced removal :

Currently on final court orders that state contact every three months.

Every single visit with my granddaughter is heartbreaking knowing that she was in a very loving caring non abusive home & now subject to stay with complete strangers who are brainwashing her into thinking her family are either bad or do not love her anymore & also seeing her solemn look upon her face wanting to come home.

When originally removed I had her in my care as she was having holidays at grandmas, CW told father to contact me asap to bring [redacted] back home or they would turn up & remove her from my house, once back at her fathers home, [redacted] gave us 5 minutes to say goodbye in which was extremely distressing & emotional at they took her away under a police warrant.

I am hoping that once [redacted] is rightfully returned everything will gradually go back to normal once again.

FOSTER CARERS

About the relationship between yourself and the foster carer/s :

• Have foster carers treated you respectfully?	No
• Have foster carers put the needs of your child / children first?	No
• Have foster carers supported the restoration of your children?	No
• Have foster carers made the children call them Mum and Dad?	Yes
• Have the caseworkers made the children call the foster carers Mum and Dad?	Yes
• Have foster carers helped to preserve your relationship with the child / children in care?	No
• Did the foster carers oppose restoration because they wanted to keep your child / children?	Yes
• Did the foster carers oppose restoration because they had formed a bond with the child / children ?	Yes
• Have foster carers been allowed to join the proceedings?	Yes
• If so, were the foster carers provided with free legal assistance to participate in the proceedings?	Uncertain
• Have foster carers undermined you to your children?	Yes

Is there anything else you would like to say about the foster carer/s ?

They have a close bond with [redacted] caseworkers & believe they helped with the conception of fabricated stories that [redacted] is supposedly had said & have included in caseworker affidavits.

They have hidden photos of [redacted] parents that were given to [redacted] as well as given away a full suitcase full of clothing & personal belongings that [redacted] initially took when forcibly removed before final orders came.

They have reported in FACS affidavits/notes that [redacted] loves them when other reports state that [redacted] hits, scratches & kicks out at carers, also stating that [redacted] loves soccer too which photos taken by [redacted] cousin at her sons soccer game against [redacted] shows [redacted] looking disinterested, bored, lagging behind other players on her team & walking around with her fingers in her mouth, contrary to reports from carers.

Foster carers are allowed to know everything about [redacted] parents of what they look like, address & their

background, yet no-one is allowed to know anything about the foster carers at all, on their background, age, police checks etc. nothing.

INJURIES, ABUSE AND NEGLECT OF CHILDREN IN OUT OF HOME CARE

- Has there been any injuries, abuse or neglect to the child / children in out of home care? Yes

Please explain the injuries, neglect or abuse of the child / children in out of home care

Within one month in care, [redacted] came into a contact visit with a large bite mark on her upper right arm.

Very large grazes on Knee, elbow, abdomen & side of face.

Suspected sexual abuse whilst in care that was falsely directed at her father, as from around that time of the reported sexual abuse, [redacted] severely regressed, was very shy & reserved which was totally out of character for her.

[redacted] has come into contact wearing shoes & sandals two sizes too big, wearing just thin nylon t-shirts in the middle of winter causing her to have respiratory problems for many months.

Started using an asthma medication that was the carers own daughters medication. Never had asthma in all her life in parents care.

[redacted] has presented during contact visits more abuses, injuries & illnesses in less than 6 months than she has had all of life residing with her parents which was 3 1/2 years.

- Was the child hospitalised for illness or injuries acquired in out of home care? Yes
- Were you notified as soon as possible when the child was hospitalised ? No
- When were you notified that the child had been hospitalised ? The father found out from affidavits in court proceedings.
- Have you reported any injuries, abuse or neglect to the child / children since they have been placed in out of home care? Yes

Who did you report the injuries, abuse or neglect to ?

- Caseworkers Yes
- DoCS (Child Protection) Complaints line in your state Yes
- Minister for DOCS/FACS/DCP/CPS/DCF in your state Yes

If you reported any injuries or abuse about the child in out of home care to one of the caseworkers responsible for the welfare of the child, what was the outcome of the report?

- I never received a response Yes
- Nothing it was a coverup Yes

- Other — Gave excuses of injuries.

If you reported any injuries or abuse about the child in out of home care to the Child Protection Hotline (or similar), what was the outcome of the report?

- Nothing it was a coverup — Yes

If you reported the injuries, neglect or abuse of a child in out of home care to the state minister for child protection / families etc, what was the outcome of the report?

I never received a reply — Yes

Do any of the below statements reflect your experience ?

- Did you ask to visit the child who had been hospitalised ? — No
- Were you allowed to visit the child who had been hospitalised ? — No
- Were you allowed to come and go easily whilst visiting the hospitalised child? — No
- Were you given limited visiting hours ? — No
- Were other family members allowed to visit the hospitalised child ? — No

COMPLAINTS ABOUT CASE MANAGEMENT OF CHILDREN IN OUT OF HOME CARE

- If you believe that your caseworkers acted incorrectly, or corruptly, or even biased toward you, or did not follow their guidelines, or policy or procedure, did you report it to anybody? — Yes
- Have they been held accountable for any misconduct, corruption, maladministration or bias? — No

Who did you report the misconduct, corruption, maladministration or bias etc to:

- Minister for DOCS/FACS/DCP/CPS/DCF in your state — Yes
- DoCS (Child Protection) Complaints line in your state — Yes
- Other — Yes

What was the outcome of the report you made to the state minister for child protection / families ?

- The misconduct / corruption was ignored and I received a short letter stating there was no misconduct — Yes

What else (if anything) would you like to say about the complaint you filed with the Minister for Child Protection / Child Safety / Children and Families in your state ?

Took complaint of the caseworker to case manager, who ignored my complaint, then took it to FACS District manager to which it was also ignored.

What was the outcome of the report you made to the Complaints Line for Child Protection / Families ?

- Other — made complaint to FACS district manager who

ignored my claims & discredited them.

What was the outcome of the report you made to another party / organisation / person ?

- The misconduct / corruption was ignored and I received a short letter stating there was no misconduct — Yes

COMMUNITY INTERACTION WITH MAGISTRATES, COURTS AND LEGAL REPRESENTATIVES & THE COST OF SUCH SERVICES

- Were you ever denied legal aid during the court proceedings ? — Yes
- Did you have Legal Aid or private legal representation? — I self represented
- Did you have trouble finding legal representation that had not previously worked for the department ? — Yes
- Did you win or lose the case? — Lost
- Other
- Were you given adequate preparation time for each of the hearings that related to the child / children in out of home care?
- Do you believe the courts helped or hindered your case? — The courts hindered my case
- Do you believe the magistrate read your affidavits and listened to you? — No
- Did your solicitor explain your legal situation clearly?
- Did your solicitor provide the correct legal advice?

Is there anything else you would like to say about the legal representation you had :

I was questioned by the Crown ([redacted]) of things not even relating to the care proceedings or risk of harm or DV which was the reason [redacted] was originally removed.

I believe it was a witch hunt against [redacted] father to have him convicted of something in which he never did.

Is there anything else you would like to add about the court process ?

I wholeheartedly would say as someone whom has respect for the law, that within the Children's Court, whether it be local or at Parramatta, I have found that it is a secret court where corruption is made legal.

In a previous question you answered that caseworkers lied under oath during court proceedings (committed perjury) ... When this matter was evidenced in court, what did the magistrate do ?

- The magistrate refused to act upon the caseworker's unlawful acts. — Yes
- The magistrate did nothing. — Yes

Audio and visual equipment in the courtroom :

- Were you able to hear what was being said in the courtroom at all times? — No
- Could you hear what was being discussed between the parties solicitors at all times? — No
- Were you able to clearly hear what the magistrate was saying at all times? — Yes

- Was the audio and video equipment working well at all times? Yes

INDEPENDENT CHILDREN'S LAWYER / CHILDREN'S LEGAL REPRESENTATIVE

Questions about independent children's lawyer

- Did the ICL healthily promoted the United Nations Convention of the Rights of the Child? No
- Are you aware that the ICL must tell the court the child's wishes? Yes
- Did the ICL provide the child with the age appropriate Children's Charter of Rights? No
- Was the ICL available at times to discuss matters with the child? No
- Did the Child try to dismiss the ICL for lack of willingness to abide by Representation Principles for Children's Lawyers? No
- Are you aware that a child has a legal right to dismiss his / her lawyer, if they are not happy with the representation they are receiving from that legal representative? Yes
- Did the same lawyer represent the child / children throughout the proceedings? Yes

PRINCIPLE A1 - Client of a direct representative

- Did the ICL act upon the instructions of the child client ? No
- Did the child client convey to the ICL his wishes ? No
- Did the ICL receive and act on instructions from the child client irrespective of what the ICL considered to be the best interest of the child client ? No
- Did the ICL represent the child client with the same undivided loyalty, confidentiality and competent representation that is due to an adult client ? No

General obligations of the direct representative.

- Did the ICL attempt to reduce case delays ? Yes
- Did the ICL identify appropriate family and professional resources for the child ? No
- Did the ICL consider and discuss with the child client the desirability and possibility of appeals or further applications ? No

PRINCIPLE E2 (Part 1) - General obligations of direct representative

- Did the ICL represent the child in a competent and professional manner ? No
- Did the ICL participate in all telephone and other conferences and hearings, (unless the hearing was completely unrelated to the child client) ? Yes
- Did the ICL actively advocate in accordance with the child client's instructions and preferences ? No
- Did the ICL, before closing submissions consult with the child client to ensure all aspects of instructions were put to the court ? No
- It is the duty of the ICL to ensure that all relevant evidence is presented to No

court. Did this happen?

- Did the ICL cross-examine and question the accuracy of evidence by other parties where this related to the child's welfare? — No

PRINCIPLE D5 - Support persons

- Did the ICL advise the child client that they are entitled to have a support person with them during the interview ? — No
- Did the ICL seek the child's view on whether they would like the support of a trusted adult during the interview process ? — No
- Was there a support person (trusted adult) present at the interview process with the ICL ? — No
- Was the support person chosen by the child client ? — No
- If there was a support person selected, did the child ever request the support person to be excluded ? — No
- If the child requested the support person to be excluded, did the ICL abide by the child clients wishes ? — No

PRINCIPLE C1 - Determining whether child has capacity to give instructions

- Was a support and monitoring mechanism established to assist the child client ? — No
- Were follow up meetings between the lawyer and the child arranged throughout the legal process and after judgement? — No

PRINCIPLE C2 - Enhancing child's capacity

- Did the ICL seek to enhance the child's capacity to provide instructions ? — No
- Did the ICL seek assistance of appropriate behavioural scientists to assist them to ascertain the wishes and directions of younger children ? — No
- Did the ICL appropriately use this information to assist the child client ? — No

PRINCIPLE H1 - Access to documents by child client

- Did the ICL inform the child client that they are entitled to access documents held by the ICL ? — No
- Did the child client request access to documents held by the ICL ? — No
- Did the ICL abide by the request of the child client and provide those documents requested ? — No
- If the ICL refused to provide the child client with access to information on his / her file, what reasons were given? — No reasons given.

PRINCIPLE D1 - Seeing the child

- Did the ICL see the child client at all ? — No
- Did the ICL see the child client well before the first hearing ? — No
- Did the ICL represent the child client at every hearing / conference and telephone conference that was related to the child client ? — No

• What, if any, promises or commitments were made to the child?	None that I know of,child never spoken or seen to whatsoever by ICL.

PRINCIPLE E4 - Whether a child should give evidence

• Did the child client request to give evidence in the matter ?	No
• If so, did the ICL assist the child client to give evidence ?	No
• Did the child have other written evidence to be provided to the court by the ICL ?	No
• If so, did the ICL provide the court with this written evidence ?	No
• Did the child client have audio evidence to be provided to the court by the ICL ?	No
• If so, did the ICL provide the court with this audio evidence ?	No

Practice Direction No 2 of 2006

• If the child client was not allowed to speak in court, did the ICL request the Judge to speak to the child ?	No
• If so, did the Judge speak to the child client ?	No
• If not, what were reasons for not allowing the child client to speak to the magistrate ?	Child was not approached to do so at all.

Access to other evidence involving the child clients' matter

• Did the ICL obtain copies of all court documents and evidence relevant to the case?	Yes
• Did another party try to supply evidence to the ICL ?	Yes
• Did the ICL accept the evidence on behalf of the child client ?	No
• Do you believe the ICL read all the subpoenaed notes and affidavits in the case?	No
• Is there any evidence from the courts that the ICL did not obtain?	The truth.
• If there is any evidence that the ICL refused to accept in relation to the child client, please describe here:	Whether the child [redacted] wanted to stay with her parents.

PRINCIPLE J2 - Right to dismiss direct representative

• Did the child client at any time attempt to dismiss the ICL ?	No
• If so, were the wishes of the child client abided by ?	No

Is there anything else you would like to add about the child / children's independent legal representative?

The ICL was in direct collusion with FACS/DoCS from day one, exchanging notes & helping each other with files in court, totally went against the restoration of [redacted] to Parents.

He believed all false reports & accusations against parents.

He did not act in the best interests of the child in any shape or form or in any manner.

He objected to parents affidavits & annexures, including witnesses.

The ICL adjourned a hearing as he held up court proceedings for two months because he said his father in law was ill, yet no medical report was forthcoming to prove otherwise.

[redacted] was arrogant & smug towards myself & [redacted] parents.

Principle E2 (Part 3) Statutory obligations of the ICL

- Did the ICL act in an independent and unfettered way in the best interests of the child? No
- Did the ICL act impartially, but if thought appropriate, make submissions suggesting the adoption by the court of a particular course of action if he or she considers that the adoption of such a course is in the best interests of the child? No
- Did the ICL inform the court by proper means of the child's wishes in relation to any matter in the proceedings? In this regard, the representative is not bound to make submissions on the child's instructions but is bound to bring the child's express wishes to the court's attention. No
- Did the ICL arrange for the collation of expert evidence and otherwise ensure that all evidence relevant to the child's welfare is before the court? No
- Did the ICL test by cross-examination where appropriate the evidence of parties and their witnesses? No
- Did the ICL ensure that the views and attitudes brought to bear on the issues before the court are drawn from the evidence and not from a personal view or opinion of the case? No
- Did the ICL minimise the trauma to the child associated with the proceedings? Yes
- Did the ICL facilitate an agreed resolution to the proceedings? Yes

Principle E8 - Continuity states "The practitioner should be consistently available to represent the child or ensure that incoming practitioners are properly briefed".

- Did the child / children have the same ICL throughout the proceedings? Yes

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Have you been subjected to torture or to cruel, inhumane and degrading treatment or punishment? Yes

Could you provide more details about your torture or cruel, inhumane or degrading treatment or punishment please.

The degrading treatment I refer to is that [redacted] refuted my claims that I am worthy of caring for [redacted] & also that the purported DV claims against [redacted] father to be false, they both degraded myself & my partner in ways that were very upsetting & false.

- Have you been treated equal when before the courts and tribunals — No

If you believe you have not been equal before the courts and tribunals, please provide more information.

I was unrepresented because of not being able to afford private legal rep's & having too much assets to qualify for Legal Aid & not knowing the Acts & Rights.

- Have you been denied your right to hold an opinion/s without interference? — Yes

Please provide more information on the violation of your right to hold opinions without interference

On the witness stand via speaker phone, I went to elaborate my affidavit & my answer to a question which would had exposed the truth, but ICL & Crown Barrister closed me down so that I could not finish what I was saying.

- Have you had your right to freedom of expression violated? — Yes

Please provide more information on how your right to freedom of expression has been violated?

I could not explain to the court that what was being said in caseworker affidavits were completely fabricated or false.

- Has your family been denied protection by society and the state — Yes

Please provide more information

No one has been forthcoming in protecting our family whatsoever.

- All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. Do you believe you have been discriminated against with respect to this statement? — Yes

Please provide more information on this answer

I believe so because I was only the grandmother of [redacted] & not the parent & the court believed that I was biased in which I was not, I was only telling the truth.

INTERNATIONAL COVENANT OF THE RIGHTS OF THE CHILD

- Article 7.1 states "The child shall be registered at birth and shall have the right to know and be cared for by his parents". Do you believe this right has been violated? — Yes

Please provide more information about your child's right to know you and be cared for by you being violated

Yes. The child [redacted] should never have been removed at all, at the least, kept with extended family, as there were no intentions of doing so by the Department, the [redacted] even denied [redacted] having an extended family, to which she does, over 80 family members in fact. [redacted] has been denied future contact to myself & any other family member based upon CW opinions & false reports.

- Article 8.1 of the International Covenant of Child's Rights states "State Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference". Do you believe this right has been violated? — Yes

Please provide more information about how the state party has disrespected the right of your child/ren to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference.

The department & foster carers have made [redacted] to call the foster carers 'mum & dad', when they are not.

There has been a distinct alienation between [redacted] & parents & family from the Department.

The Department have requested [redacted] Original Birth Certificate for unknown reasons.

They have not provided [redacted] with access to her extended family & culture & origins in any way.

In fact they intend to severe all contact to ALL family, including parents.

- Article 8.2 state "Where a child is illegally deprived of some or all of the elements of his or her identity, State Parties shall provide appropriate assistance and protection, with a view to re-establishing his or her identity. In your opinion, has this article been violated? — Yes

If you answered yes to your child being illegally deprived of some or all of the elements of his or her identity, and State Parties did not provide appropriate assistance and protection to re-establish your child's identity, please explain here

Yes, [redacted] is only seeing her parents & myself every month for her mother & every 3 months for myself & her father. [redacted] is being alienated more & more every time we see her. Because i believe that the [redacted] has a personal vendetta against [redacted] father for some unknown reason.

- Article 9.1 of the Convention on the Rights of the Child states "State Parties shall ensure that a child shall not be separated from his or her parents against their will". Was your child's right violated? — Yes

Please explain how State Parties separated your child/ren from you against their will

Yes absolutely it was. [redacted] father fully objected to [redacted] being taking into care, I objected as well.

[redacted] mother was in a Mental health Unit at the time & had not consented or even knew that her daughter was forcibly removed for over three months due to being hospitalised.

The Department arrived with 2 police with a warrant to take [redacted] whether we agreed or not.

There was no warning at all.

- CROC Article 9.3 states "State Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis". Is/has this right of your child/ren been violated by State Parties? Yes

Please provide more information on how the state has denied your child/ren the right to maintain personal relations and direct contact with both parents on a regular basis

The removal of [redacted] was directly based upon hearsay & false reports that were acted upon by unregistered opinionated young caseworkers without thorough & proper investigations.

[redacted] should never have had been removed whatsoever.

[redacted] did not want to leave her father or myself upon removal. every three months is not appropriate or regular & not in the best interests of [redacted]

- Has the state taken appropriate measures to protect your child from all forms of abuse, violence, negligence, maltreatment or exploitation, including sexual abuse? No

Was your child removed because you were homeless, or at risk of homelessness? No

Article 29 of the CROC refers to where the education of the child should be directed to the below mentioned areas. Do you believe that the state obliged to educate the child / children in these?

- The development of the child's personality, talents and mental and physical abilities to their fullest potential. No
- The development of respect for human rights and fundamental freedoms. No
- The principles enshrined in the Charter of the United Nations. No
- The development of respect for the child's parents.
- His or her own cultural identity. No
- Language and values. No
- For the national values of the country in which the child is living. No
- The country from which he or she may originate. No
- For civilizations different from his or her own.

SUMMARY

What were your thoughts on child protection services before you had the opportunity to see them work first hand ?

- They do a great job in difficult circumstances. No
- If child protection got involved then the parents must have done something wrong. Uncertain

- They would never remove a child without investigating the family properly first. — Uncertain
- Child protection workers are over worked and underpaid. — No
- The department needs more funding so they can help more families — Yes
- They don't get enough gratitude for the job they do. — No

Describe your thoughts and feelings toward child protection and the authorities in general now that you have experienced them ?

- Did you initially seek assistance from child protection? — No
- Would you ever ring child protection again for assistance?
- Do you tell domestic violence victims to seek assistance from child protection? — No
- Do you tell them not to ask for help because of mandatory reporting regulations? — Yes
- Would you ever ring the police again to ask for assistance if in a domestic violence situation? — No
- Would you ever trust healthcare professionals with information that may be used against you by child protection workers? — No
- Would you ever seek help from any government authority again after having the department involved in your life previously? — No

What is the best thing/s about the current child protection system?

There is none that I know of, their policies state that they are "keeping families together", in fact I believe they do the opposite & keep families apart & destroy the core values of families.

What is the worst thing about the current child protection system ?

No support mechanisms in place before or after forced removal. No department area within the department for restoration. The department has no intention of restoration once a child has been removed, whether based upon truth or fabrication.

What changes would you make to the child protection system if you could ?

1. A complete overhaul.
2. Have ALL caseworkers & anyone whom works for Child Protection Departments across Australia to be registered.
3. Have WWCC.
4. Have basic child/parent skills & knowledge.
5. Have at first hand support networks available to help parents with issues,such as DV & Mental Health,etc.
6. Have the Children's Court closed down or at least made an open court with more accountability & transparency & that goes to all CPS nationally.

- Would you like to have your case reviewed ? — Yes
- Do you see any point in asking to have your case reviewed by another government department ? — No

Why do you not want your case reviewed by another government department / organisation ?

- Been there, done that - and it's a waste of time. Yes
- Government departments only work to cover for child protection. Yes
- Other departments have merely excused the corrupt actions of the department. Yes
- Other departments have used every excuse to justify what the department did. Yes
- I haven't seen one government department audit child protection's non-compliance with any degree of moral responsibility whatsoever. Yes
- No other department seems to care what child protection do, and they can't be bothered anyway. Yes

- Would you like to have your case file audited for compliance with state child protection laws, and policies and procedures by a professional organisation that is experienced with current child protection issues, that is independent of the department ? Yes

Is there anything else you would like to say about the current child protection system ?

The caseworkers & all involved with the forced removal of [redacted] should be held accountable & charged according to the crimes that they have committed against the forced removal of [redacted].