



Personal Submission to the Senate Inquiry into Children in Out of Home Care 2014

Susan Coleman

Personal Information

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

Mother

Your first name

Susan

Your surname

Coleman

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

Indigenous

Details of children in out of home care :

Child 1[Name of child]

[REDACTED]

Child 1[Date of birth]

[REDACTED]

Child 1[Age removed]

birth

Child 1[How many placements?]

2

Child 1[Abused in care?]

no



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

- 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 that child protection workers have acted in a manner that poses a serious threat to public mental health. 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 a cover up of the departments approved placement. Yes
- I state that child protection workers have perverted the course of justice. Yes
- I state the department have failed in their duty of care to the children. Yes
- I state there has been alienation of the child from the Yes



maternal / 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

Community interaction with caseworker's

What state / territory removed the child / children?

New South Wales

Office location of the department concerned

██████████

- Did caseworker's 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 caseworker's 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

I was told immediately after my sons removal that a person's past represents their future and that my baby would never be coming home. Never ever was I offered any hope, encouragement, options or support.

- Did caseworker's work with you for a better outcome for you and your family? No
- Did caseworker's work against you? Yes
- Did they provide any support services to prevent the child / children being taken into care? No
- Did child protection caseworker's 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.

i was constantly told that my contact with my baby was for identity purposes only and that i had no right to know about my son.

- Did they listen to you and respond to your concerns? No
- What concerns did they ignore or not respond to you about? as above
- Did caseworker's provide the opportunity to have the child / No children returned?
- When child protection turned up and removed the child, was No this the first time you were aware they were going to do this?
- Do you believe that caseworker's broke any laws? Yes

Which laws do you believe caseworker's broke?

- Children and Young Persons Act - False or misleading statements. Yes
- Dishonesty. Yes
- Other Discrimination

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

Due to having a mental illness i was unfairly judge yet no blatant evidence ever was shown against any of my children.

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

I truly believe that if i had of been offered support and hope instead of abuse and judgement that my baby would have remained in our family

- If you attended a protest or rally about issues surrounding child protection, was this ever used against you? No



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

- To get access to your child you had to state that you had abused, neglected or mistreated your child. No
- To get access to your child you had to state that you had sexually assaulted your child. No
- 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 No
- 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
- 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. Uncertain
- Did caseworker’s interview the child / children on their own? No

Questions regarding interviewing of parents by caseworker’s

- Was the parent / parents interviewed without a support person Yes



being present?

- Did you request a support person? Yes
- Was your request to have a support person denied? Yes
- Were there two caseworker's present at the interview? Yes
- Did you want to record interviews? Yes
- If the interview was recorded would that have helped you evidence lies told or written by the caseworker's in court? Yes
- Do you believe that recording all contact caseworker's have with families would make the system fair and more honest? Yes
- Do you believe that caseworker's are getting away with misconduct and other criminal activities because there is no way of proving what has been communicated by the caseworker? Yes

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

- Did subpoenaed caseworker's turn up for cross-examination in court proceedings? No
- Was the caseworker's evidence based on fact? No
- Was the caseworker's evidence based on hearsay? 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 court material contain uncorroborated stories about you? Yes
- Did the court material have an objective approach?
- Did the court material have a subjective approach aimed at demeaning and belittling you? Yes
- Did they tell you the truth or write truthful Affidavits? No

Family impact statement

- Was the child removed without consent? Yes
- Was the child adopted? No

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

- Mental health issues Yes
- Other If I was to Self-harm my baby would not be able to pick up phone and ask for



- help.
- Were the allegations false? Yes
 - 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
 - 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 reasons child protection gave to magistrates, to warrant keeping the child / children in out of home care continued to change with each court case? Yes
 - 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 the department assist you to do what they required of you? No
- Did they encourage and support you to do what was required of you? No

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

- Lack of Trust Yes
- Sadness Yes
- Withdrawal Yes
- Depression Yes
- Low self-esteem Yes
- Anxiety Yes
- Self-harm Yes
- Post-Traumatic Stress Disorder Yes
- Drinking Yes



Has there been short or long-term emotional impacts because of the care proceedings and forced removal that 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
- Depression Yes
- Anxiety Yes
- Stress Yes
- Difficulties sleeping Yes
- Difficulties working Yes
- Post-Traumatic Stress Yes
- Feelings of mental and psychological torture by caseworker's 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

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:

On top of dealing with my PTSD over sexual, physical and emotional childhood trauma I've had to deal with the added trauma of my 4th baby being removed.

- Did you have a partner at the time of the removal? No
- If you would like to write more here, please do so
- 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?
- What would have been a better solution in your case then forced removal? support, hope and encouragement

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

I still cannot comprehend [REDACTED] removal.

I have never harmed a child and i was the one whom called docs regarding some support.

Health workers who knew me all stated that i am not a risk to my children and if unwell, I would seek help.

The department refused to ever listened to anything positive and never allowed the court to hear the positives.



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

Myself, older children and health workers all believe that my recovery would have been made much easier if i had of been given direction, support, encouragement, hope and options.

i take full responsibility for my actions however the cruel actions of docs and the emotional and mental abuse made it at time impossible to believe and fight.

When someone, as docs did, put you down long enough you begin to believe you are worthless and your fight is hopeless.

- How many placements has the child / children had? 2
- How many caseworker's has the child / children had? Too many
- If your child is indigenous do they have an indigenous caseworker or support worker? No
- Have the Aboriginal and Torres Strait Islander placement principle's been adhered to? No
- How often does the caseworker see the child / client? I was never informed
- Does the child / children know who their caseworker is? No

How much contact is there between the siblings (brothers and sisters)?

- Every two months Yes

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
- Have you applied to have the child / children Yes



returned to your care?

- 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
- Do you understand the system? No
- Other no as this is all [REDACTED] knows however he does get upset at the end of each contact and does not understand why he has so little time with myself and his brothers

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?

- Nothing Yes

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 two months Yes

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

- Two hours contact Yes



Is this child / children part of a sibling group?

Yes

How much contact do the siblings have with each other?

- Every two months Yes

For how long does the sibling child / children in out-of-home care get to spend with each other at contact?

- Two hours contact Yes

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

- Other I have consistently requested contact between cousins, aunts and uncles, however this is always denied without explanation. Some of these relatives are also aboriginal.

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

- 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 without someone being present. Yes
- You are not allowed to record the contact visit. 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
- 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 they are going at school. Yes
- What where other reasons given for cancelling contact? carer being unwell



Other family contact for special occasions

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

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

Every day is a struggle. Constant pain and guilt and frustration; not being able to do anything about DOCS abuse, lies and corruption. They are so powerful yet not accountable to anyone.

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 / No
children first?
- Have foster carers supported the restoration of No
your children?
- Have foster carers made the children call them Yes
Mum and Dad?
- Have the caseworker's made the children call Yes
the foster carers Mum and Dad?
- Have foster carers helped to preserve your No
relationship with the child / children in care?
- Did the foster carers oppose restoration Yes
because they wanted to keep your child /
children?



- Did the foster carers oppose restoration because they had formed a bond with the child / children? Yes
- Have foster carers undermined you to your children? Yes

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

The carer is a single, white woman unable to bear children.

She has stared me in the eyes and said that she has the same maternal instincts as me and if I try to take [REDACTED] from all he has known then I will traumatise him. `

She does not support more contact, does not allow school photos, phone calls nor other relatives seeing him; all without explanation.

Complaints about case management of children in out of home care

- If you believe that your caseworker's 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

- Other Yes

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

- Nothing it was a coverup Yes



Community interaction with magistrates, courts and legal representatives & the cost of such services

- Did you have legal aid or private legal representation? I had private legal representation
- Did you win or lose the case? Lost
- Do you believe the magistrate read your affidavits and listened to you? No
- Did your solicitor explain your legal situation clearly? No
- Did your solicitor provide the correct legal advice? No
- Is there anything else you would like to say about the legal representation you had? Sadly, the first lawyer my elderly friend payed for knew nothing of docs legislations and laws
- Do you feel your solicitor spent enough time with you and working on your case? No
- Did your solicitor follow your instructions? No
- Did you feel your solicitor really tried hard to win your case? No

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

It was very brief and no docs worker was cross examined nor was myself, family or health workers

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. I was told on an ongoing basis from the time my baby was removed that i was a bad mum, a bad person and that i would never change



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 how your child's right to know you and be cared for by you is being violated. ██████ was never given the chance to be raised by myself or be part of our family, including his 3 older brothers
- 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 carer was using her last name for my son very early on. There are also 2 foster girls with carer whom ██████ believes are his sisters. More effort is put into that relationship then that of his biological brothers.
- 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 No option of restoration was ever given.
- 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 I was not allowed to breastfeed my baby and he was torn from my arms 2 hours after birth.
- 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 Yes



violated by State Parties?

- 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
There is truly no reasonable explanation as to why my son and my boys brother has being kept from us
- Was your child removed because you were homeless, or at risk of homelessness?
No

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. Yes
- If child protection got involved then the parents must have done something wrong. Yes
- They would never remove a child without investigating the family properly first. Yes
- Child protection workers are over worked and underpaid. Uncertain

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? Yes
- Would you ever ring child protection again for assistance? No



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

NOTHING

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

in my case they have never made any effort to keep my family together. They have only lied and being abusive and in the early days made me believe i was bad.

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

I understand my behaviour on paper was worrying however i only needed help and support, not constant put downs and abuse.

I believe docs workers should be cross examined, also family members and health workers. in my case no one was heard apart from the docs lawyer stating docs lies.

They truly need to be held accountable.

I believe where there is evidence of abuse then yes, a child deserves better but in my case and so many others our children are removed based on a person's opinion and probability rather than evidence.

- 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? 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?

I am still trying to comprehend what they have and are getting away with.

They have acknowledge my case has been handled wrong and have said i am not a risk to any child but are not willing to change anything, not even more contact.

And shockingly, they are still pushing for an adoption.

I've had workers tell me that if i had the money that my son would be home. it's so very sad to all involved that my son, myself, his brothers and all family members are suffering due to a lack of finance.

A child is not a piece of property to own and control. I would like my son home.

I have worked hard on myself.

