

Carolyn
Minhinnick
- Response
ID 1381

September 27

2014

What is the best thing/s about the current child protection system? "Nothing".
What is the worst thing about the current child protection system ? "Child
stealers. Family breakers." What changes would you make to the child
protection system if you could ? "Everything."

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 Mother

PERSONAL INFORMATION

Your first name Carolyn
Your surname Minhinnick
 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

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DETAILS OF THE CHILDREN IN OUT OF HOME CARE :

Child 1[Name of child]	████████████████████
Child 1[Date of birth]	██████████
Child 1[Age removed]	7
Child 1[How many placements?]	1
Child 1[Abused in care?]	Not sure
Child 2[Name of child]	██████████ ██████████
Child 2[Date of birth]	██████████
Child 2[Age removed]	5
Child 2[How many placements?]	2
Child 2[Abused in care?]	Not sure
Child 3[Name of child]	████████████████████
Child 3[Date of birth]	██████████
Child 3[Age removed]	4
Child 3[How many placements?]	1
Child 3[Abused in care?]	Not sure
Child 4[Name of child]	████████████████████
Child 4[Date of birth]	██████████
Child 4[Age removed]	Birth
Child 4[How many placements?]	4
Child 4[Abused in care?]	Not sure

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 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 that child protection workers have shown extreme bias. Yes

- I state there has been abuse of power by child protection workers. 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 / paternal family members. Yes
- 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 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 :

The case was investigated by police no evidence was found. But case workers had different ideas

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 they listen to you and respond to your concerns? No

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

Separating the children

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
- Crimes Act - Child Abduction. Yes
- Crimes Act - Fraud. Yes
- Crimes Act - Providing false instruments by public official (Public authority giving false information to another public authority). Yes

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

They told police we were drug addicts and violent , police arrive with guns etc to remove children.

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

If we had been given the opportunity to remedy any problems the department thought we had through assistance and intervention

- 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 dragged me into court over expressing opinions contrary to theirs Yes
- Caseworkers have threatened me with jail Yes
- Other
- 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
- 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) No
- 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? I don't know
- Were copies of the interview of the child / children made available to you? No
- 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? Yes
- Did you request a support person? I don't know
- Was your request to have a support person denied? No
- Were there two caseworkers present at the interview? Yes
- Did the caseworkers rely on any disclosure (allegedly) made by the child after the interview with the two caseworkers? Yes

-
- Did you want to record interviews? Yes
 - Did you ask if you could record interviews? Yes
 - 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? I don't know
 - 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? No
- Were you or the parents told that separation or divorce would provide a better chance of having the child / children returned by their lawyer? No
- Did the parents separate or divorce? No

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? Uncertain
- Did they lie under oath? Yes
- Was the caseworkers evidence based on fact ? No
- Was the caseworkers evidence based on hearsay? Yes
- Was the caseworker prepared to proceed on the day? Uncertain
- 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? Uncertain
- Were reports received in time frames ordered by the court? Uncertain
- Did the court material contain uncorroborated stories about you? Yes
- Did the court material have an objective approach? No
- 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? No
 - Was the caseworker dressed appropriately for such court proceedings? No
 - 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? Yes
 - 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.

The case workers solely relied on here say from the girls carer about things the girls were doing and saying at home . The career had no qualification to be diagnosing and treating.

FAMILY IMPACT STATEMENT

- Was the child removed without consent? Yes
- Was the child adopted ? No
- Has there been talk of adopting the child? ██████████
- Has this been by the caseworker? No
- Has this been by the NGO? Yes
- 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
- Sexual abuse Yes
- POSSIBLE FUTURE RISK OF HARM 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
- 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? Yes
- Were you consulted about your child's Care Plan? Yes
- Did you receive Affidavits and care plans in enough time to respond to the court? No
- Did the court grant adjournments to the department on the basis that they were very busy? Yes
- Was that in your child's best interest? No

ACCESS TO SUPPORT SERVICES :

- Did the department require you to complete any courses? No
- Did they improve your parenting skills?
- 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? No
- Did they encourage and support you to do what was required of you?
- Did it make a difference in getting your children back?

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
- Depression Yes
- Failure to attach Yes
- Physical health problems Yes
- Low self-esteem Yes

-
- Anxiety Yes
 - Panic attacks Yes
 - Post Traumatic Stress Disorder Yes
 - Smoking Yes
 - Borderline personality disorders 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 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 protect your children Yes
- Sometimes don't want to get out of bed Yes
- General suffering Yes
- Other Loss of trust in the judicial system
- Were you offered professional help such as grief counseling to deal with your loss? No
- Has there been a negative physical impact on you caused by the forced removal of Yes

the child?

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

PTSD , depression, anxiety

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:

Loss of earning from stigma towards myself Ongoing medical expenses

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
- 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? Yes
- Did child protection force you to move? No

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

Live in assistance and monitoring to see if allegations were right.

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

All children have been separated - 2 in NSW and 2 in Victoria.

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

- How often does the caseworker see the child / client? 6 monthly

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

- Six-monthly 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? No
- Were there problems with interstate placement? 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?
- Did you lose your income after the child was removed? Yes
- 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? Yes
- 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 ? No
- Did the Court allow you to proceed to a hearing for your restoration application? No
- Did the department seek orders till the child was 18 years from the time they were removed? Yes
- Did you appeal the court decision in your case? No
- 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
- Did your solicitor advise you to agree to establishment? Yes
- Did your solicitor advise you to agree to what the department wanted? Yes
- Did the paid carers become a part of the proceedings? No
- Were the paid carers provided with free legal assistance to participate in the proceedings? 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 ? Yes
- Have your children been managed by an NGO (non-government organisation eg CatholicCare / Barnardo's etc)? Yes
- Has that NGO been helpful? Yes
- Has your child in care received appropriate medical treatment while in care? Yes
- Has your child had to change schools while in care? Yes

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
- Practically kicks and screams at end of contact Yes

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 continues to make notes in her book that will eventually be used against the parents in some form or another. Yes
- 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

- Six-monthly Yes
- Three hours contact Yes
- Is this child / children part of a sibling group? Yes
- Are the siblings split up into different placements? Yes

How much contact do the siblings have with each other?

- Six-monthly Yes
- Two hours contact Yes

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

- Lack of Trust Yes
- Emotional abuse Yes
- Sadness Yes
- Withdrawal Yes
- Depression Yes
- Failure to attach Yes
- Low self-esteem Yes
- 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 |
| • Anxiety | Yes |
| • Stress | Yes |
| • Nightmares and bad dreams | Yes |
| • Difficulties sleeping | Yes |
| • Feelings of injustice | Yes |

INFORMATION PERTINENT TO THE CHILD RECEIVING GIFTS SENT TO THEM BY FAMILY MEMBERS :

- | | |
|--|-----|
| • Have you ever written to the child in out of home care, or sent letters or money or gifts? | Yes |
| • Were there ever any hassles with giving the gifts, cards, money or similar to the child? | No |
| • 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 ? | Yes |
| • Were you told that the money for the child will be put into a trust account for them until they are eighteen? | No |
| • Did the department ever provide you any evidence to support the money being given to the child or put into a trust fund? | No |
| • Do you believe they stole the money or gifts? | No |

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

- | | |
|---------------|-----|
| • Six-monthly | 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. | Uncertain |
| • 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. | No |
| • 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. | No |
| • You are not allowed to ask about their placement. | Yes |

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

Their father wasn't allowed to take off his shirt to show the children his big back tattoo . The children asked to see it.

- | | |
|--|----|
| • Has contact been cancelled for breaking the rules? | No |
|--|----|

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? | Uncertain |
| • 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 |

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
- Does the foster carer/s have a criminal record ? No

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

Foster career of girls has mental health issues and is on psychiatric medication .

█ was given to a single woman who was 50 when he was born , does the department expect him to grow up with someone who could be his grandmother?

OUTSOURCING CHILDREN TO EXTERNAL ORGANISATIONS

How has contact been facilitated between you and the child / children in out of home care ?

- Has the NGO been helpful in organising contact between you and the child / children? Yes
- Does the NGO give you the court ordered amount of time between you and the child? Yes
- Has the NGO ever breached court orders and cut the amount of contact between you and the child? Yes
- Has the NGO ever cut contact time prior to court orders being changed? Yes
- Has the NGO cancelled contact because the foster carer refused to bring the child / children to contact? Yes
- Has the NGO always made sure that both parties are aware there is contact Yes

schedule ?

- Has the NGO ever made you miss contact because they failed to tell you about changes of times? No
- Has the NGO ever made up contact time because of cancelling a previous contact? No
- Does the NGO provide contact schedules that may work around your employment or study schedule? Yes
- Has the NGO ever changed contact time to accommodate your employment or study schedule? No
- Has the NGO been flexible with facilitating contact in general between you and the child / children? Uncertain
- Has the NGO allowed weekend contact to enable you to work around your job / other commitments ? No

Have you been told any of the below rules, or similar, by contact centre or NGO workers such as Barnardos, CatholicCare, Anglicare or Life without Barriers?

- 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 aloud 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. No
- You must talk loud enough for the supervisor to hear. Yes
- You are not allowed to tell child truth about questions they ask. Yes
- You must not to mention anything about court proceedings to your child, even when they ask. Yes
- You are not allowed to bring any other children or relatives into contact, must be previously be approved by caseworkers. 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. No
- You are not allowed to ask about their placement. Yes
- Are the children divided into different NGO's? Yes
- Which NGO have you found to be supporting contact etc ?

How do they differ from child protection caseworkers?

Have empathy and understanding

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

- Has the child / children been prescribed psychotropic medications since being removed? Yes
- Has there been any injuries, abuse or neglect to the child / children in out of home care? Yes
- 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 ?
- Have you reported any injuries, abuse or neglect to the child / children since they have been placed in out of home care? No

Do any of the below statements reflect your experience ?

- Did you ask to visit the child who had been hospitalised ? Yes
- Were you allowed to visit the child who had been hospitalised ? 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
- State Ombudsman Yes
- Local MP Yes
- Members of Parliament 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
- I never received a reply Yes
- Nothing it was a coverup Yes

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

- I never received a response Yes

What was the outcome of the report you made to the Ombudsman ?

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

What was the outcome of the report you made to your Local Member of Parliament ?

- The misconduct / corruption was ignored and I received a short letter stating there was no misconduct Yes
- I never received a response
- Nothing it was a coverup Yes

What was the outcome of the report you made to other Members of Parliament ?

- The misconduct / corruption was ignored and I received a short letter stating there was no misconduct Yes
- Nothing it was a coverup Yes

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

- Were you ever denied legal aid during the court proceedings? No
- Did you have Legal Aid or private legal representation? I had Legal Aid representation
- Did you have trouble finding legal representation that had not previously worked for the department? Yes
- Did you win or lose the case? Lost
- Did you have to chose your Legal Aid representative from a limited list? Yes
- 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? 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 :

After the final verdict was made at Ballina courthouse the DoCS workers, the children's representatives and our solicitors all had lunch together.

- Do you feel your solicitor spent enough time with you and working on your case? No
- Did your solicitor follow your instructions?
- Did you feel your solicitor really tried hard to win your case? No

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? No
- Was the audio and video equipment working well at all times? No

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? I don't know
- Are you aware that the ICL must tell the court the child's wishes? No
- 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? I don't know
- 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? I don't know
- Did the same lawyer represent the child / children throughout the proceedings? I don't know

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

The direct representative should represent the child in a competent and professional way in accordance with the Solicitors' Rules and general legal requirements.

- Did the ICL attempt to reduce case delays ? No
- 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) ? No
- 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 court. Did this happen? No
- 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

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

PRINCIPLE E4 - Whether a child should give evidence

- Did the child client request to give evidence in the matter ? Uncertain
- If so, did the ICL assist the child client to give evidence ? Uncertain
- Did the child have other written evidence to be provided to the court by the ICL ? Uncertain
- If so, did the ICL provide the court with this written evidence ? Uncertain
- Did the child client have audio evidence to be provided to the court by the ICL ? Uncertain
- If so, did the ICL provide the court with this audio evidence ? Uncertain

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

Access to other evidence involving the child clients' matter

- Did the ICL obtain copies of all court documents and evidence relevant to the case? No
- Did another party try to supply evidence to the ICL ? No
- 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

PRINCIPLE J2 - Right to dismiss direct representative

- Did the child client at any time attempt to dismiss the ICL ? Uncertain

ICLs have a direct responsibility to work in the interest of the child, particularly a newborn baby. If any of the children removed were newborn please answer these questions:

- If there was no intervention, and the baby was removed directly from hospital, did the ICL object ? No
- Did the ICL object to the baby not receiving colostrum from its mother ? No
- Did the ICL object to the baby not being able to receive its mothers breastmilk ? No
- Did the ICL object to the baby and mother not bonding and rooming in together ? No

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? No
- Did the ICL facilitate an agreed resolution to the proceedings? No

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? No
- If the ICL changed, did the former ICL provide reasons for the change in representation? Yes
- Did the former ICL introduce the child to the new ICL? No

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

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

Please provide more information

Our children were stolen by the state

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

All our children have been stolen by the state .

We are not given the right for our children to know or be cared for by us

- 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.

By stealing our children the state has stolen our children's right to stay with us.

- 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

Our children are being told to call their carers "mum" and "dad", and the careers are trying to get the children's last names changed .

- 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

Our stolen children want to come home to mummy and daddy.

- 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

Our children want to come home , they are being kept against their will.

- 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
- Has the child / children been prescribed psychotropic drugs? Yes

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. Yes
- The department needs more funding so they can help more families Yes
- They don't get enough gratitude for the job they do. Yes

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? No
- 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?

Nothing

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

Child stealers. Family breakers

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

Everything.

- 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