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

Personal Submission of Gregory Morris



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 **Father**

Your first name Gregory

Your surname Morris

Your mobile phone number [REDACTED]

Your home phone [REDACTED]

Email address [REDACTED]

Address [REDACTED]

Suburb [REDACTED]

Postcode [REDACTED]

State [REDACTED]

Country [REDACTED]

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 children in out of home care :

Child 1[Name of child]	████████████████████
Child 1[Date of birth]	██████████
Child 1[Age removed]	3 years 8 months
Child 1[How many placements?]	one
Child 1[Abused in care?]	Suspected

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 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 the 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
- Other I state that I feel DoCS have deliberately gone on a 'witch hunt' to gather supposed evidence to expand upon their case against me.

Community interaction with caseworkers

What state / territory removed the child / children? New South Wales
 Office location of the department concerned [REDACTED] NSW

- 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

No they have gone on a false accusation & hearsay reports by Mental Health NSW that my daughter



of risk of immediate harm due to domestic violence in the home & that my wife has a mental illness, DoCS have expanded upon the original report with their own fabricated reports that are untrue.

They never came to me to offer any support services, they failed to believe the truth, nor did they want to. There was never any follow up investigations after removal of my daughter at all.

- 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 explanations on the whereabouts of my daughter or who she was with. If I did not ask questions about her myself, they would not have told me, DoCS only told me that she was living in the area, nothing else.

- 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 truth. They ignored that my wife was suffering severe adverse side effects of strong anti-psychotic medications that brought on the initial reports to DoCS. They ignored to ask about any special needs or requirements for my daughter upon removal, like sleeping patterns, types of food, any food allergies or any medical requirements. Nothing!!

- 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 caseworkers 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 - Failure of persons with parental responsibility to care for child. Yes
- Crimes Act - Failure of persons with parental responsibility to seek medical attention for child. 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 Bullying, & Intimidation & misconstruction of facts.

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

They did not ask for consent from either parent.

They entered my house through threats & intimidation.

They failed dismally by not following their own policy & procedures guidelines.

DoCS colluded with Mental Health & police to go on a 'witch hunt' against me to expand their case against me.

They did not believe that my daughter had extended family.

I was & my wife were both separately asked to separate from each other.

Blatant false & misleading statements, misconstrued facts & twisted the words I said around to make out that I was telling lies.

Lied on witness stand in court.

Lied in affidavits.



Wrongfully & forcefully removed my daughter without proper investigation or good reason.

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

I believe that DoCS if having concerns about our family, to suggest supports to help instead of ripping my daughter from me for no good reason.

They should have tried to keep the family together or at the least put my daughter with extended family.

There should never have been any removal at all based upon my wife having a mental illness & unsubstantiated domestic violence.

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 cut contact with the child / children in out of home care Yes
- Caseworkers have threatened me with jail Yes
- Other DoCS colluded with Mental Health & police to go on a 'witch hunt' against me to gather information of the historical past to expand their case against me.
- 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. Uncertain
- 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) 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 will not 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 is not. Yes
- Inflexible working hours – evenings and weekends would enable them to work “with” parents and their work commitments. Uncertain
- 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? 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? Yes
- Was your request to have a support person denied? Yes
- 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? Yes
- Do you believe that recording all contact caseworkers have with families would make the system fair and more honest? Yes
- Do you believe 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? Yes
- 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 change 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? Yes
- 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 court? Uncertain
- 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? Yes
- Was the caseworker dressed appropriately for such court proceedings? Uncertain
- 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.

Stated that there was domestic violence in the home.

Stated that I had harmed my wife,

Stated that I had harmed my daughter.

Stated that I had dragged my daughter by the arm.

Accused me of sexual abuse against my own daughter.

Family impact statement

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

Has there been talk of adopting the child / children ?

- 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
- Physical abuse Yes
- Neglect Yes
- POSSIBLE FUTURE RISK OF HARM Yes
- One or both of the parents have a disability 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 ? Uncertain
- 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? No
- Was this because the list was never ending? No
- Did completing the caseworkers requirements of you enable the child / children to be 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
- 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? Yes
- Were you consulted about your child's Care Plan? No
- Did you receive Affidavits and care plans in enough time to respond to the court? No
- 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? No
- Did the court grant adjournments to the department on the basis that they were very busy? Uncertain
- Was that in your child's best interest? No
- 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? No
- Did they encourage and support you to do what was required of you? No
- Did it make a difference in getting your children back? No
- 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



- Sadness Yes
- Withdrawal Yes
- Physical health problems Yes
- Low self-esteem Yes
- Post-Traumatic Stress Disorder Yes
- Trust issues 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
- Depression Yes
- Stress Yes
- Difficulties sleeping 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
- Sometimes don't want to get out of bed Yes
- General suffering 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:

I have needed to see a psychologist due to stress & trauma related to removal of my child.

My life has been seriously turned upside down since removal of my child, I do not socialise anymore with friends & family.

I have continual headaches due to stress.

- 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:

Being on a pension, I have had financial difficulties with attending court out of my town, cost of printing ink & copy paper, phone calls & letters. Accommodation costs.

It has placed a long term burden upon our savings for the future due to solicitor expenses.

If you want to upload any documents / certificates pertaining to negative financial impact, please do so here.

1 Attachment

- 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 No impact
- Effect upon personal ability and inner-strength No impact
- If you would like to write more here, please do so It has exacerbated my wife's mental illness to the point of her being hospitalised which in turn has made us be apart.
- 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 No



by the forced removal?

- Have you had to move home or town because of child No protection involvement?

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

No removal full stop.

At the most, my child should have been put with extended family.

CPS to work with me not against me.

Provide support services where they believed may have helped.

Do a thorough investigation & believe the truth & facts.

Removal should have been a last resort.

Not to have a pre-arrangement with foster carers for my child before removal without consulting me first.

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

DoCS should ask if parents would like to give consent to any removal of a child first.

There were no concerns at all for the welfare of my child who wanted to stay with me & her mother, they disrespected the grandmothers statement that their allegations were false & based upon hearsay.

Their policy portraying that they keep families together is a fallacy & based upon propaganda. It is not based upon the 'best interests of the child' but profits.



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

Cannot move forward in life until my child is rightfully returned. Everything is put on hold. Loss of savings. Loss of investment money due to legal expenses.

The long term impacts are that my wife & I are too scared to have any more children. due to DoCS possibly removing the baby.

I have had a vasectomy due to being in fear of future removal of any child.

My wife & I wanted to expand our family but now we won't be.

The emotional trauma & psychological harm due to the removal of my child will have a lasting impact upon my daughter's life, my life, my wife's & our families lives.

I have kept my child's room untouched since forced removal.

All family & friends are completely shocked & devastated by the forced removal of my daughter.

- How many placements has the child / children had ? one
- How many caseworkers has the child / children had ? Two
- How often does the caseworker see the child / client? Rarely
- Does the child / children know who their caseworker is? No

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 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
- 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? Yes
- 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 appeal the court decision in your case? Yes
- Were you successful with your appeal? No
- Did you have to finance your own appeal? 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? Yes
- 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? Uncertain
- Were the paid carers provided with free legal assistance to participate in the proceedings? Uncertain
- Do you understand the system? No
- Have caseworkers undermined you to your children in care? Yes
- Has your child in care received appropriate medical treatment while in care? No
- 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
- Other Never wants to let go of me when contact visits end

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 threatens to 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 Yes



contact by saying the child is continually upset at the end of contact and it makes it difficult for foster carer.

- 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
- Other They speed things up to have my child out of the contact room.

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 four months Yes

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
- Depends on if they choose to abide by court orders Yes
- Other [They] cut contact short by five minutes here & there & do not make up any time if they are late.
- Is this child / children part of a sibling group? No

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
- Depression Yes
- Failure to attach Yes
- Physical health problems Yes
- Low self-esteem Yes
- Post Traumatic Stress Disorder Yes
- Attachment disorder Yes
- Antisocial traits Yes



- Violent behaviour Yes
- Other My child has regressed dramatically 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
- Stress Yes
- Wetting the bed Yes
- Nightmares and bad dreams Yes
- Lower school grades Yes
- Difficulties sleeping 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 inadequacy Yes
- General suffering Yes

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?

Yes

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

- Caseworkers refused to give the presents, letters, cards or gifts to the child in out of home care Yes
- Other Toys & gifts have suddenly disappeared from my daughters care, never to be seen again.



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
- Other With the exception of her paternal grandmother who attends contact with me 4 times a year.

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. 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 they're going at school. Yes
- You are not allowed to ask about their placement. Yes

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

Bring in healthy snack, although carer allowed to pack junk food & soft drinks.

No voice recording ,no examination of child for bruising/injuries/lice etc.

No daily care tasks like brushing hair, nail cutting,

No gifts, letters or photos to be exchanged, no mobile phones, no discussion re court, carers, FaCS workers.

All communication to be referred to FaCS.

No talk about her mother or relatives, just to keep between ourselves.

What happened to your contact if any rules were broken?

Warning of being terminated or termination, regardless of how trivial any question asked to my daughter.

- Has contact been cancelled for breaking the rules? Yes

What were other reasons given for cancelling contact?

Concern over my child's escalating post contact behaviours whereby she has displayed defiant & violent behaviours either before or after contact visit.

False reports that contact has been having negative impacts on my daughter. I asked my daughter did she have any Lego at her carers house?

I asked if she rides her bike new bike in the park & not on the road after she fell off it severely injuring herself (bike was too large for her age), both questions resulted in termination of contact upsetting myself & my daughter greatly.

Other family contact for special occasions :

- Have you been allowed contact on special days such as the Child's Birthday, Mother's No



Day, Fathers Day, your Birthday and Christmas Day?

- 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

Beautiful, loving & joyful.

Our loving bond is very strong still regardless of what is told negatively to my daughter, my daughter kisses me & hugs me tightly, clings to me when it's time to leave.

Always asks to come home, Always says that she loves me & misses me very much.

My child runs up to me & embraces me with beautiful big hugs & kisses.

My daughter discloses that she doesn't like it at the carers house & wants me to take her home all the time.

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 ? Uncertain
- 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 four DoCS caseworkers as personal friends on Facebook.

They have said things to caseworkers in supposed reports that are untrue.

They have made false statements about what my child has supposedly have said to them when it is untrue.

They have been told complete lies about me by DoCS to them giving them false beliefs that I am a perpetrator of domestic violence & child abuse.

My child has disclosed sexual abuse & that her 'dad' was in the bath with her & showed her his private parts whilst in his care, which doCS assumed & accused me of doing when in fact I at the time had not had my daughter in my care for over 6 months & still don't.

My daughter has been told to call the male carer 'dad'.

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

Bite marks on upper right arm within 3 months of entering care.

Large deep abrasions on face, arms & legs. Very sickly, pale, skinny & withdrawn looking.

Dark circles under eyes, still in pull-up nappies at 4 & 1/2 years old (was out of nappies at 3 years & 2 months before removal. Has now got answer.

- 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?

At a contact visit & noticed white bandages all over my child & contact supervisor told me 3 weeks after initial injury & would have been most likely kept secret had I not approached DoCS about it.

- 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

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?

Nothing it was a coverup 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
- Local MP Yes
- Members of Parliament 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?

The response was very unsatisfactory to say the least & I expected the caseworker to be



reprimanded or at least my complaint followed through.

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

What else (if anything) would you like to say about the complaint you filed with your Local MP?

Pointless in contacting them as nothing was done about my complaint.

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

- 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 choose 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? No

Please explain how you were not given adequate time to prepare for child protection proceedings?

Communication between myself & my solicitor was limited due to legal aid funding in that time spent on affidavits & court proceedings were time limited as well as distance limited.

DoCs would continually serve me more affidavits to respond to & I was not up with all the legal jargon & legalities of children's court & care & protection Act.

- 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 :

he colluded with the DoCS solicitor & barrister as well as the ICL & also my wife's GAL & her solicitor. He never submitted my affidavits which included photographs, diary & relevant annexures. He never argued against or objected against relevant material that was false about me, his submission at end of hearings was too little too late.

- 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

If you ever applied for court transcripts, what was your experience with it and the organisation that provided the transcript service?

- The transcript had parts missing Yes
- Other Had to pay for them.

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

It was a sham, it was biased from the start, very subjectional, was basing findings on false reports & hearsay without adequate proof & facts. 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 defended the caseworkers actions. 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? Uncertain
- Could you hear what was being discussed between the parties solicitors at all times? Uncertain
- Were you able to clearly hear what the magistrate was saying at all times? Uncertain
- Was the audio and video equipment working well at all times? No

Independent Children's Lawyer / Children's Legal Representative

Questions about the 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? I don't know
- 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) ? 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

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

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 ? 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

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 ? Uncertain
- 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? Uncertain.
- If there is any evidence that the ICL refused to accept in relation to the child client, please describe here: That my child stated in contact supervisor reports that she



wanted to come home & that she loves her mum & dad very much & misses both of them.

Principle J2 - Right to dismiss direct representative

- Did the child client at any time attempt to dismiss the ICL ? No

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

The ICL adjourned an important hearing date because of his father in-law being unwell, no Dr certificate was provided.

ICL objected to every positive proposal that I & my solicitor put to the court as well as objecting to an expert witness I had that turned up to court whom already submitted an affidavit.

Was in collusion with DoCS & my wife's GAL/solicitor, provided DoCS with information regarding my case in court.

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.

I have been subjected to cruel & inhumane treatment directly by DoCS caseworkers [REDACTED] & [REDACTED] & case manager [REDACTED] from [REDACTED] DoCS, NSW accusing me of domestic violence, child harm & to have no insight of my wife’s mental illness.

I have had degrading treatment from these caseworkers & children’s courts in which I have suffered direct pain & suffering as a result.

- Have you been held in slavery, and (or) the slave-trade in any of their forms? Yes

Could you please provide some more information about being held in slavery

My life has been in the hands of DoCS since removal of my child, they have control over my life by accessing my medical, police & any other records kept on me.

They have taken me to court over posts on Facebook & tried to have me prosecuted for it.

- 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 am a pensioner carer for my wife & have provided nothing but the truth & yet have had false accusations thrown at me during court, I have not had a fair hearing, it has been very biased towards caseworkers & I see myself in the eyes of the court guilty until proven innocent.

- Have you been subjected to arbitrary or unlawful? Yes



interference with respect to your privacy, family, home or correspondence? Or have you been subjected to unlawful attacks on your honour and reputation?

Please provide more details about the unlawful interference with your privacy, family, home or correspondence; or attacks on your honour and reputation.

DoCS caseworker [REDACTED] unlawfully breached my privacy by accessing my posts & comments on social media & used them against me in court trying to prosecute me for them.

They have attending our home without any notice & invitation.

- 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

I have held opinions against the caseworkers & foster carers which have fallen on deaf ears. I have raised concerns of neglect against my child which has not been acted upon.

- 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?

DoCS caseworker [REDACTED] unlawfully breached my privacy by accessing my posts & comments on social media & used them against me in court trying to prosecute me for them.

- Has your family been denied protection by society and the state? No
- 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

Yes, my wife has a mental illness in which DoCS certainly have discriminated against us to justify the forced removal & keeping of our child.



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.

My child has been wrongfully & forcibly removed against her will & her parents will & consent & is now alienated against both parents by DoCS.

My child is forcibly being told to call the foster carers 'mum & dad' when they are not in fact my child's birth parents which ultimately is confusing a very vulnerable young child.

- 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 (DoCS) have set out deliberately to alienate our child from her parents & family.

They have allowed caseworkers & foster carers to forcibly have my child call the foster carers 'mum & dad'.

They have forced the lives of complete strangers upon my child without her consent & her parents consent.

Deliberately not taking into account my child's strong loving bond & past with her parents & family.

Keeping everything secret & changing the subject of my child's family every time she brings the subject up.

- 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

My child was wrongfully & forcibly removed without parental consent.

My child has been deprived of her identity with her extended family & parents on a daily basis due to forced removal.

All photographs of her family & parents are quickly removed if given to her.

There is no mention of her biological parents & extended family until a contact visit, then nothing after.

- 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

DoCS & police came to remove my child with a warrant & a court order against my wishes & my child's wishes.

- 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 state has enforced the removal of my child through a final order through the Children's court until 18 years of age.

My child continually wants & has asked to come back home & is denied that privilege & right.

My contact with my child is 4 times a year which is highly inadequate given I was my child's primary main care since birth til removal.

I am further alienated against my child by not being allowed to skype, phone or write letters or to see her at any given time of my liking. Nor is my child allowed the same.

- 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 No



homelessness?

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. | No |
| • His or her own cultural identity. | No |
| • Language and values. | Uncertain |
| • For the national values of the country in which the child is living. | Uncertain |
| • The country from which he or she may originate. | Uncertain |

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. | Uncertain |
| • 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 | Uncertain |
| • 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? | 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.

There is none from what I have seen, children seriously abused & neglect are left with the perpetrators, yet child from loving caring non abusive homes are removed on unsubstantiated grounds.

They unaccountable to no-one, every child is given a 18 year sentence without review, mental health patients & hardened criminals all get reviews, children & parents get none at all.

Child protection workers MUST be registered to work with children as other departments are that deal with children's matters.

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

Child Protection is running rampant without anyone holding them to account for all their failings, including failing of duty of care, abuses, neglect & deaths in care as well as the ongoing corruptions & cover-ups within their departments.

They destroy many lives & the family unit which is the core of society, they do not abide by their own policies & procedures at all.

They make up their own rules, They are not willing to put money into restoration schemes to have children rightfully returned, rather spend it on foster carers & NGO's.

They accuse the parents of wrongdoings without proof or fact & being guilty before being proven innocent.

They hold a child for ransom until the parents can afford to have them returned.

No thorough investigations are done; affidavits & reports are falsely made for court & based mainly on hearsay or false reports.

[They] commit perjury in court.



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

Make ALL child protection workers REGISTERED. close down the Children's (secret) court or have it made public with video & voice recordings within the court.

A Restoration scheme for the return of children.

All cases that have been wrongfully made against parents that have had their children forcibly removed, have their cases reviewed & audited to have their children rightfully returned.

Have anyone charged & convicted of committing ANY crimes that are dealing with Child Protection, including caseworkers, ministers, magistrates, solicitors & barristers & anyone else conspiring to falsely & forcibly remove a child.

- 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 just want my child rightfully returned back to her biological parents which is myself & my wife, before any more psychological damage is done to her.

My child is the one inadvertently caught in the middle of all this not knowing who to trust or to turn to now & will no doubt suffer long term emotional & psychological trauma from what she has experienced & I will hold FaCS responsible for that.

