

Lorraine  
Marriot-  
Response  
ID 1271

September 16

2014

■ abuse children in care. Stop stealing children for profit.

Senate  
Inquiry into  
Children in  
Out of Home  
Care 2014.

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

**PERSONAL INFORMATION**

<b>Your first name</b>	Lorraine
<b>Your surname</b>	Marriott
Your mobile phone number	[REDACTED]
Your home phone	[REDACTED]
Email address	[REDACTED]
Address	[REDACTED]
Suburb	[REDACTED]
Postcode	[REDACTED]
State	[REDACTED]
Country	Australia

  

- **Are you a former "Child in Care"?** No
- Do you have a disability? Yes
- Physical disability Yes
- Parents nationality New Zealand
- 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]	3
Child 1[How many placements?]	4
Child 1[Abused in care?]	No
Child 2[Name of child]	████████████████████
Child 2[Date of birth]	██████████
Child 2[Age removed]	2
Child 2[How many placements?]	2
Child 2[Abused in care?]	No

**PLEASE CLICK ANY STATEMENTS THAT RELATE TO YOUR DEALINGS WITH CHILD PROTECTION PRACTITIONERS :**

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

- I state there has been alienation of child from the maternal / paternal family members. 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?

██████████  
██████████

Office location of the department concerned

████████████████████  
██████████

- Did caseworkers investigate the case thoroughly after the removing the child / children into out of home care ? Yes
- 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.**

I had to request the █████ liaison officer to find out what was happening.

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

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

They did explain, but their answers were deceptive and they held information back.

- Did caseworkers provide the opportunity to have the child / children returned? No
- Do you believe that caseworkers broke any laws ? Yes

**WHICH LAWS DO YOU BELIEVE THEY BROKE ?**

- Crimes Act - Blackmail offence. Yes
- Dishonesty. Yes
- Recklessness. Yes

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

■ coerced me into taking out a DVO against my daughter (children's mother), so I could see my grandson. They still wouldn't let me see my grandchildren unsupervised as i was able to do before.

- 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 cut contact with the child / children in out of home care Yes
- 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?**

- They lied in reports. Yes
- They caused reports to be inaccurate due to only providing information that suited their agenda. Yes
- Ignored abuse concerns because it did not suit their agenda. No
- Vindictiveness. Yes
- Sarcasm. Yes
- Belittling parents. Yes
- 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

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#### CASEWORKERS INTERACTION WITH THE CHILD / CHILDREN

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- Did caseworkers interview the child / children on their own? No
- 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

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#### QUESTIONS REGARDING INTERVIEWING OF PARENTS BY CASEWORKERS

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- Was the parent / parents interviewed without a support person being present? No
- Did you request a support person? Yes
- 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? Yes

caseworkers?

- Did you want to record interviews? Yes
- Did you ask if you could record interviews? No
- Were you allowed to record interviews? I don't know [3]
- If the interview was recorded would that have helped you evidence lies told or written by the caseworkers in court? Yes
- Do you believe that recording all contact caseworkers have with families would make the system fair and more honest? Yes
- Do you believe that caseworkers are getting away with misconduct and other criminal activities because there is no way of proving what has been communicated by the caseworker? Yes

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### FAMILY IMPACT STATEMENT

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- Was the child removed without consent? Yes
- Was the child adopted ? No
- Have you told them your objections to the adoption? not yet
- Do you think the adoption is necessary? no
- Do you think the adoption will damage the child's long-term future? yes

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### WHAT WERE THE REASONS FOR THE REMOVAL OF THE CHILD/CHILDREN?

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- Domestic violence Yes
- At risk of emotional harm Yes
- Neglect Yes
- POSSIBLE FUTURE RISK OF HARM Yes
- Failure to thrive Yes
- One or both of the parents have a disability Yes
- Were the allegations false? No

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### WERE YOU CHARGED WITH CHILD ABUSE?

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- 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

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### DID THE CASEWORKERS CONTINUE TO RAISE THE BAR ON YOU?

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- Were you ever given a single list of things you needed to do / not do in order to have the child / children returned ? Yes
- 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? Yes
- 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? No
- Was it difficult to address the issues in court because they kept changing (raising the bar)? 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? No
- Were you consulted about your child's Care Plan? 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

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### WHAT HAS BEEN THE IMPACT ON YOU SINCE THE CHILD WAS TAKEN AWAY AND PLACED INTO FOSTER CARE?

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- Lack of Trust Yes
- Emotional abuse Yes
- Excessive crying Yes

- Sadness Yes
- Withdrawal Yes
- Anxiety 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
- Anger Yes
- Fear
- Frustration Yes
- Depression
- Anxiety Yes
- Stress Yes
- Difficulties sleeping Yes
- Feelings of mental and psychological torture by caseworkers Yes
- Feelings of injustice Yes
- Feelings of inadequacy for being unable to protection your children Yes
- 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 the child? No
- Has there been a negative financial impact on your family due to care and protection proceedings? No
- Did you have a partner at the time of the removal? No
- 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

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

I am the Grandmother of the child that was removed into foster care.

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

My Grandson was removed from foster care, and instead of placing him with my and his brother he was placed with his paternal Great aunt 5 hours drive away.

He did not know his Great Aunt before being removed into their care, except for 3 visitations with them.

He has not seen his brother since being removed into their care 2 years ago.

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

- How many placements has the child / children had ? 4
- How many caseworkers has the child / children had ? approx 2-3
- How often does the caseworker see the child / client? I don't know.
- Does the child / children know who their caseworker is? No

**HOW MUCH CONTACT IS THERE BETWEEN THE SIBLINGS (BROTHERS AND SISTERS) ?**

- Not at all Yes

**KINSHIP CARE**

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

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

- The child needed a One-on-One placement Yes

- You were too old Yes

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### CONTACT WITH CHILDREN IN OUT OF HOME CARE

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#### 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? Uncertain
- Have you been allowed to have SKYPE contact with the child / children in care? No
- Did you loose your public housing after the child / children was removed? No
- Did you lose your income after the child was removed? No
- Did the department assist you to have your child / children placed in the state you reside in? No
- Did they allow an interstate transfer of your child in care? Yes
- Have you been granted a Case Review by a Regional Director or other ? Yes
- 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?
- 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?
- Were you successful with your appeal?
- 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? No
- Was your Legal Aid cut off during court procedures? Yes
- Did your solicitor advise you to agree to establishment? No
- Did your solicitor advise you to agree to what the department wanted? No

- 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? Uncertain
- Have the children been divided into different placements ? Yes
- Have your children been managed by an NGO (non-government organisation eg CatholicCare / Barnardos etc)? No
- Has that NGO been helpful?
- 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
- Asks why they cannot come home Yes
- Other At the last contact before being sent away he asked to come home with nanna, and cried.

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

- Nothing Yes
- Do you currently have contact with the child / children in out of home care? No

#### When was the last time you had contact with the child / children in out of home care?

I spoke to him twice in the last two years, as I and his brother have been given restricted contact with him.

■ won't give me his phone number or ask for him/carers to call me to facilitate a phone call.

They have only called twice in two years.

- 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?

- Not at all Yes
- Other Two phone calls in two years.

■ traumatised my grandson when he was taken out of his aunty's care and placed into foster care.

- 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
- Anxiety Yes
- Other ■ letter to my lawyer saying my grandson was highly traumatised in being taken out of his auntie's care.

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

- Not at all Yes

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

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

- You are not allowed to talk to each other outside of the contact room. No
- 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. No
- You are not allowed to ask how there going at school. No
- You are not allowed to ask about their placement. Uncertain
- What happened to your contact if any rules were broken? Contacts would cease if any rules were broken.
- 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? 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? Yes

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

I and my grandson's brother (4 yrs old) have only had two phone contacts in two years.

This has caused significant grief and loss.

█ have asked me to see a psychologist to discuss my feelings about the contact issues.

**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? Uncertain
- 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? No
- 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? Uncertain
- 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? Uncertain
- If so, were the foster carers provided with free legal assistance to participate in the proceedings?
- Have foster carers undermined you to your children? Uncertain

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

They won't come to [REDACTED] as they state they have a child that is very ill.

**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:**

- Local MP Yes
- Other Yes

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

- Other Letter from the minister asking me to take it up with





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

- Were you ever denied legal aid during the court proceedings? Yes
- Did you have Legal Aid or private legal representation? I had Legal Aid representation
- Did you win or lose the case? Other
- Other I could not get legal aid for my grandson, as the outcome would not be in my favour.

**INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS**

- 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**

█ have told me to my face 3 times (not written down) - that I am too old and I need a good 12 years to look after my grandson. Hence they would not give me custody.

They said to my daughter and I that my daughter was the right age to look after my grandson, where I was too old.

**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? No
- 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 Yes

violated?

**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.**

■ won't let anyone from my grandson's maternal side to contact him, by taking him to live 5 hours drive away.

- 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

Deprived of contact with his brother and extended maternal family.

- 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 mother of the grandchild is seeing her child for the first time in 2 years.

Though she was advised initially that she was allowed visits 4 times per year.

Apparently there were no places available for supervised visiting to occur in the rural city he was taken to.

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**SUMMARY**


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

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

- Did you initially seek assistance from child protection? Yes
- Would you ever ring child protection again for assistance? No
- 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? No
- Would you ever ring the police again to ask for assistance if in a domestic violence situation? Yes
- 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? Uncertain

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

If a child is genuinely at risk then the system works. But it should be scrapped and a new system put in place that protects children and supports the parents better.

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

It's corrupt, and doesn't support parents. They are liars and are extremely judgmental.

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

Scrap family courts, and the █████ system and start again. Registered case worker.

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

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

- Been there, done that - and it's a waste of time. Yes
- 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 ?**

█████ abuse children in care. Stop stealing children for profit.