

Angela  
Richards-  
Response  
ID 1279

September 17

2014

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? I didn't like the fact that she said in her letter "open adoption" is the best thing.

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

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**PERSONAL INFORMATION**

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**Your first name** Angela  
**Your surname** Richards

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 THE CHILDREN IN OUT OF HOME CARE :**

Child 1[Name of child]	[REDACTED]
Child 1[Date of birth]	[REDACTED]
Child 1[Age removed]	3
Child 1[How many placements?]	2
Child 1[Abused in care?]	not sure
Child 2[Name of child]	[REDACTED]
Child 2[Date of birth]	[REDACTED]
Child 2[Age removed]	1
Child 2[How many placements?]	2
Child 2[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 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 cover up of the department's approved placement. Yes
- I state child protection workers have perverted the course of justice. Yes

- I state the department have failed in their duty of care to the children. Yes
- I state there has been alienation of 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] Wales
- 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 child protection workers decided four months into my children's care that neither parent would be getting the children back.

I had left a severe domestic violent relationship with my children's father.

There was no inclination that they would help me get the resources I needed for the return of my children.

18 months after i got back on my feet done parenting courses and dv counselling, roof over my head they still would not help me with the reunification of my children but instead send me adoption information as the carers want to adopt my children.

I apply for a section 90 and the judge wouldn't grant leave. I appeal the decision and go to district court for it not to be granted again. it has now been nearly 5 years since my children have been taken.

- 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.**

The case workers have not informed me when things happen until months after the incidents, ie: [REDACTED] breaks his arm I got notified 12 months later.

The carers move to Sydney with my children and i get notified 3 weeks after they moved.

[REDACTED] was getting bullied in school and stealing from the carers, and I get notified 6 months after the incident.

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

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

I have had many concerns about my children.

[REDACTED] had trouble with his foreskin and had to have an emergency circumcision.

I voiced my concerns about [REDACTED] foreskin, and I get notified *2 years later* that they are monitoring it.

I was concerned how the dv affected my children and asked for family counselling so [REDACTED] and [REDACTED] could ask any questions to myself, and the case worker [REDACTED] said NO.

When I found out that [REDACTED] had been bullied, I asked what steps they were taking to address the situation, I was ignored.

When I married last year I asked if my children could see me get married the answer was no.

I have asked for more contact quite a few times as it states in court orders minimum 4 times a year and up to FACS to decide if I was to have more, the answer was always no, "contact is for identity purposes only".

- 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 No

do this?

- Do you believe that caseworkers broke any laws ? Yes

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

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- Children and Young Persons Act - False or misleading statements. Yes
- Crimes Act - Offence of perjury. Yes
- Misconduct under a Public Sector Employment and Management Act. Yes
- Dishonesty. Yes

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

I rang Lismore FACS for help to get my children away from their father as I was in the refuge.

I received a call from [REDACTED] explaining they were going to get my children and bring them to the refuge to me.

At 10:30pm the refuge on call worker come to the refuge to tell me my children were not going to be returned to me.

A few weeks later I had a meeting with a case worker and she told me if I agreed to a care plan and do certain things i will get my children back.

Me being vulnerable and naive signed that care plan.

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

With what I know now they should of helped how ever they could, for the return of my children to me.

I could have my children back with me if they stopped blaming me (the victim of domestic violence).

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

- They lied in affidavits. Yes
- They lied in reports. Yes
- They only provided what information suited them to court report writers (IE Family Relationships Australia). Yes
- They caused reports to be inaccurate due to only providing information that suited their agenda. Yes
- Ignored abuse concerns because it did not suit their agenda. Yes
- Vindictiveness. Yes
- Sarcasm. Yes
- Belittling parents. Yes
- Putting their own best interests first before those of your child/children/family. Yes
- Did they tolerate aspects of your life that were different to theirs? (eg. race, poverty, education level) Yes
- Continues to make judgements about you. Yes
- Displaying an inability or lack of willingness to accept the positive changes parents may have made. Yes
- Expect parents to work “with” them BUT they won’t work “with” parents. Yes
- Refusal to provide a change of child protection workers when personalities clash. Yes
- Discriminating against parents with mental illness. Yes
- Using “the best interests of the child” to justify whatever they do even when clearly it’s not. Yes
- Inflexible working hours – evenings and weekends would enable them to work “with” parents and their work commitments. Yes
- Where there has been no harm, you are treated in the same disrespectful ways as those who have actually harmed their children. Yes
- The child protection workers assumed you were a bad parent though you had done nothing wrong. Yes
- The child protection workers chose not to accept the positive statements of family members even though they were true. Yes

- The child protection workers chose to accept false statements of family members even though they were NOT true. Yes

**Caseworkers interaction with the child / children**

- Did caseworkers interview the child / children on their own? I don't know
- 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 I don't know

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

**Some parents are told that if they separate or divorce, they would have a better chance of getting the child / children returned.**

- Were the parents accused of having domestic violence issues? Yes
- Were the allegations false? No
- 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? No
- Did the parents separate or divorce? Yes
- 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? No
- 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? No
- Was there any change in circumstances for abiding by the requests of the caseworker regarding the restraining or domestic violence order? No
- Was the child / children returned to the perpetrator of domestic violence or abuser or known paedophile? 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? Yes
- 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? Yes
- Were reports received in time frames ordered by the court? No
- Did the court material contain uncorroborated stories about you? Yes
- Did the court material have an objective approach? Uncertain
- Did the court material have a subjective approach aimed at demeaning and belittling you? Yes
- While caseworkers were being questioned, did the courts allow the other workers to take notes and discuss matters? Yes
- Did the caseworker allow the child to be present at the court hearings? No
- Was the caseworker dressed appropriately for such court proceedings? Yes
- Did they hug each other when they won their case against you and your family? Yes
- Did they hi-five each other when they won their case? Uncertain
- Did they hug the other party whom they wanted the child to live with when they won their case?
- 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.**

They belittled me as a mother because they believed i had a mental illness called borderline personality disorder.

**FAMILY IMPACT STATEMENT**

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

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

- Domestic violence Yes
- Were the allegations false? No

**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 ? Yes
- Did the caseworkers continually add to the list of requirements for you to do in order to have the child / children returned? Yes
- 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? 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?
- 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? Yes
- Did your solicitor or ICL object to the departments request for more time? Yes
- 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
- 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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#### ACCESS TO SUPPORT SERVICES :

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- Did the department require you to complete any courses? Yes
- Did they improve your parenting skills? Yes
- 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 |

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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 |
| • Physical abuse  | Yes |
| • Emotional abuse   | Yes |
| • Excessive crying  | Yes |
| • Sadness   | Yes |
| • Withdrawal  | Yes |
| • Depression  | Yes |
| • Failure to attach   | Yes |
| • Low self-esteem   | Yes |
| • Anxiety   | Yes |
| • Panic attacks   | Yes |
| • Post Traumatic Stress Disorder  | Yes |
| • Trust issues  | Yes |
| • Attachment disorder   | 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
- 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? Yes

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

For a long period of time because i was always in court or focusing on getting my children back into my care i couldn't work.

- 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:**

Legal fees as legal aid would not support my claim travel expenses for contact visits and court appearances.

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

**Please explain why you had to move home or relocate to another town, and how this is related to your child being in out of home care.**

I moved town because of the children's father still harassing me.

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

To let me keep my children and give me the resources i needed to help me get back on my feet.

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

I have had another child which they have not taken or come to even check on for that matter so why am i still a risk factor to [REDACTED] and [REDACTED].

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

[REDACTED]  
[REDACTED]

I disassociate with people around me to help me deal with my emotions with Child protection.

- How many placements has the child / children had ? 2
- How many caseworkers has the child / children had ? 11

- How often does the caseworker see the child / client? not sure
- Does the child / children know who their caseworker is?

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

- Daily Yes
- Every three months Yes

**CONTACT WITH CHILDREN IN OUT OF HOME CARE**

**General questions about the removal of the child / children :**

- Was your child / children placed in care in the state you resided in? Yes
- Have you been allowed to have phone contact with the child / children in care? Yes
- 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? No
- Did the department assist you to have your child / children placed in the state you reside in? 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 ? Yes
- Did the Court allow you to proceed to a hearing for your restoration application? No
- Did the department oppose your application for restoration? Yes
- Did the department seek orders till the child was 18 years from the time they were removed? Yes
- Did you 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? No
- Was your Legal Aid cut off during court procedures? No

- 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? 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 ? No
- Have your children been managed by an NGO (non-government organisation eg CatholicCare / Barnardo's etc)? No
- Has your child in care received appropriate medical treatment while in care? Uncertain
- Has your child had to change schools while in care? Yes

**Does the child / children ever ask to come home?**

- Yes 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
- Do you currently have contact with the child / children in out of home care? Yes

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

- Every three months Yes
- An hour and a half 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
- Failure to attach Yes
- Low self-esteem Yes
- Anxiety 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
- 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

**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. 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 Yes

being present.

- You must leave toilet door open. Yes
- You are not allowed to take photos. No
- You are not allowed to take photos of any injury your child has. Uncertain
- You are not allowed to record the contact visit. Uncertain
- 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. Uncertain
- 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. Yes
- You are not allowed to ask about their placement. Yes

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**OTHER FAMILY CONTACT FOR SPECIAL OCCASIONS :**

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

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

The carers supervise my contact visits and now because they want to adopt my children there is a conflict of interest;

They tell my children what to say;

They pull my children away from us to whisper to them;

I get one phone call a year on Mother's Day.

I would love to ring my children for their birthdays and Christmas.

I don't get any report cards from their schooling.

I have asked countless times for more contact with my children and docs keep saying no.

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**FOSTER CARERS**

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**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? Uncertain
- 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? No
- Have foster carers undermined you to your children? Yes

**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**

The carers are neglecting my children from having a relationship with me, I am their mother.

- 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 least 6 months after
- Have you reported any injuries, abuse or neglect to the child / children since they have been placed in out of home care? 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
- Commissioner for Children 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
- I never received a reply 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 ?**

I didn't like the fact that she said in her letter "open adoption" is the best thing.

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

- 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 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 the state Commissioner for Children ?**

- 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 matter was referred back to the minister and they sent back the common letter saying we're sorry but there's nothing we can do Yes

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

The matter was referred back to the minister and I received a common letter saying sorry but there's nothing we can do Yes

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

- Were you ever denied legal aid during the court proceedings ? Yes
- Did you have Legal Aid or private legal representation? I had private legal representation
- Did you have trouble finding legal representation that had not previously worked for the department ? No
- Did you win or lose the case? Lost
- Were you given adequate preparation time for each of the hearings that related to the child / children in out of home care? Yes
- 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? Yes
- Did your solicitor provide the correct legal advice? Yes
- Do you feel your solicitor spent enough time with you and working on your case? Yes
- Did your solicitor follow your instructions? Yes
- Did you feel your solicitor really tried hard to win your case? Yes

**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 did nothing. Yes

**AUDIO AND VISUAL EQUIPMENT IN THE COURTROOM :**

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

- Were you able to clearly hear what the magistrate was saying at all times? No
- Was the audio and video equipment working well at all times? Uncertain

**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? Yes
- Did the ICL provide the child with the age appropriate Children's Charter of Rights? I don't know
- 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? I don't know
- 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 ? 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 ? Uncertain
- Did the ICL participate in all telephone and other conferences and hearings, (unless the hearing was completely unrelated to the child client) ? Yes
- Did the ICL actively advocate in accordance with the child client's instructions and preferences ? No
- Did the ICL, before closing submissions consult with the child client to ensure all aspects of instructions were put to the court ? No
- It is the duty of the ICL to ensure that all relevant evidence is presented to court. Did this happen? Uncertain
- Did the ICL cross-examine and question the accuracy of evidence by other parties where this related to the child's welfare? Yes

**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 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 ? Uncertain
- What, if any, promises or commitments were made to the child?

**Access to other evidence involving the child clients' matter**

- Did the ICL obtain copies of all court documents and evidence relevant to the case? Uncertain
- Did another party try to supply evidence to the ICL ? Yes
- Did the ICL accept the evidence on behalf of the child client ? Yes
- Do you believe the ICL read all the subpoenaed notes and affidavits in the case? Uncertain

**INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS**

- 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 have been denied legal aid, and I'm just a low income derelict.

- 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.**

They are classing myself as just an identity to my children when i am their mother.

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

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

I asked for help and they take my children.

- 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**

Is 4 times a year a "regular basis"?

**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 respect for the child's parents. No
- His or her own cultural identity. No
- Language and values.
- For the national values of the country in which the child is living. No

**SUMMARY**

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

- They do a great job in difficult circumstances. No
- 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. Uncertain
- Child protection workers are over worked and underpaid. No
- The department needs more funding so they can help Uncertain

more families

- 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? Yes
- 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? No

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

They steal children - and don't give them back.

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

Help the woman that is affected by domestic violence keep her children and give her the resources she needs.

- 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 ?
- 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