

AUTHORISED: 

The Secretary of the Committee  
Inquiry into the support of illicit drug use on families  
House of Representatives  
PO Box 6021  
Parliament House  
Canberra ACT 2600

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To The Secretary of the Committee

**CONFIDENTIAL DETAILS PLEASE WITHHOLD NAME AND IDENTIFYING DETAILS.**

**Term of Reference 1**

**The financial, social and personal cost to families who have a member using illicit drugs, including the impact of drug induced psychoses or other mental disorders.**

We are afraid that a child is going to die and at the very least will most definitely be harmed by the drug user or his associates. My family feels abandoned, and has lost faith in our system. The same system that I told my daughter to trust and to tell the truth to, not to exaggerate or lie and it will protect her child. We have also been affected financially as we have the impossible task (as the laws stand) of proving that he is unfit to have access and that is a costly process. Drug abuse, violence and child abuse should be taken out of the Family Court. Lawyers should not be making deals in the court corridors to suit their own agendas, drugs and the impact on children is too serious.

My family and our friends have been affected by my daughter's ex partner who we now know has had a long history of drug use, drug dealing, alcohol abuse and violence. My daughter fell pregnant during the short period they were together. The biggest and most frightening impact is that **he is now allowed access to that child.** My daughter left him when the child was eight weeks old after a horrendous eight weeks and she thought they and especially the baby would now be safe. The child will now be in more danger without the child's mother there to protect her.

He seemed mildly charming at first but it was not long before the cracks began to appear. Coming home late, red eyed, always lying and arriving home out of it on drugs/alcohol. My daughter, family and I have been afraid of him and we now know his co workers too. He has lost four jobs over the past two years for violence or intimidating behaviour. A forty year old ex co-worker approached my daughter a few weeks ago and said "I don't know how you stayed that long". He told her that the ex partner was always using drugs and starting fights including with this man. He said "we are all glad he is gone from this place".

This man's drug use and behaviour have impacted on all of our family and friends, his work colleagues, every person who has any dealings with him. His own siblings have moved away and do not wish to testify, afraid of his mother's threats that she will not speak with them again or their children.

## **Term of Reference 2**

### **The impact of harm minimization programs on families.**

**Where is the harm minimization for children?** IT DOES NOT WORK. How are people going to learn responsibility if others continually make excuses and pick up the pieces for them.

**This next segment is not about the family court, but it shows that the family court should *not* be the place to decide if drug affected people can care for a child. Drug issues need to be separated when children are involved and an order of priority and danger alerts should determine the next step.**

This man, who is closer to thirty years old has failed and cheated over and over again on programs. We know that this man is using drugs, drinking, associating with drug users and dealers, a hit man and has one particular family member to cover up his tracks. These associates also sadly have access to children on weekends and are driving stoned. They are all at risk of possible physical, emotional and sexual abuse. We have confidential information that he has just been evicted from his rental property as the owner and agents want "the druggies out of there and are fed up with his aggressive behaviour." He and his mother have just told my daughter he has decided to move to find a nicer place for the child. No doubt the rental property will be in his mother's name because of his record.

I was shocked when doing research to see how many children **die each year and how many of the perpetrators were family and affected by drugs. Why are these preventable deaths allowed to happen? Often in these cases authorities had been warned again and again by another family member that this person was a great danger to the child!!! How utterly tragic that they die each year.**

You will see how this is so easy to occur when you look at the steps that have led to a child being placed in danger.

The experience we have had so far is that his mother paid a barrister and applied for access on behalf of her son. Our solicitor called up his records and because of the Shared Parenting Act of July 2006 he is given one chance after another and has key family members covering up his behaviour. This new law has seriously endangered children and forced children or their carers to prove that a person is not safe. A court appointed guardian spends about 1 hour in a controlled setting to "assess" the families suitability

- A long history of drugs and violence
- Previous heroin use

- Drug conviction for commercial quantities
- Long term loss of licence for various offences
- Stalking a previous partner
- Failing previous programs but mostly not bothering to attend
- Faking urine tests on his own admission when attending weekend detention
- Marijuana, speed and other drug use
- Chronic alcohol abuse
- Sacked by employers or let go on 4 occasions in the past two years that we know of for violence in the work place.
- Attacked people when drunk/drugged in clubs etc
- Failing to attend AA recently when court directed
- Banned recently from the supervised access centre for intimidating behaviour toward staff ( He was then given access at home under his mother's supervision by the court) His mother has not been able to protect him from chasing one of her own children with a knife when he was younger or violently attacking his own father. His father sacked him from the family business for violence toward other staff. His mother prevented another sibling from having him scheduled.

### **Term of Reference 3**

#### **Ways to strengthen families who are coping with a member(s) using illicit drugs.**

As I said previously drug issues around children should be taken away from the Family Court immediately. Especially with the new shared parenting, unless you are a pedophile you will have access to that child. We were told by our barrister that footage of him blind drunk in the middle of the day urinating with two mates on a busy road with passers by was nothing major, and the court would not care even though he told the court he does not drink anymore.

**WHEN A PERSON IS USING DRUGS CHILDREN SHOULD BE REMOVED IMMEDIATELY. Allowing children to stay in these situations is tearing families apart not strengthening them.** If it is happening to my family I know it is happening to thousands more and the death rates of children is factual.

#### **Child protection has to be managed by a National Body.**

- Children's rights come before adults
- Children should be safe and NOT involved in an adult's struggle with drugs.
- A person in that position (if they show signs of wanting to rehabilitate and not being forced by family) have no access to the child.
- They have twelve months to be clean with random supervised drug tests and random visits to their premises. If they can't agree to that or achieve that why should the child have to suffer or die?
- If the government of the day cannot GUARANTEE this level of observation than the child should be totally protected and allowed to live a safe and happy life elsewhere.
- Why can we have surveillance for social security fraud and NOT FOR CHILD PROTECTION? Is money more important than children or is it because they can't vote?

I will leave you with an analogy. Leaving children with drug users makes as much sense as leaving hundreds of small children to cross a highway by themselves.

- A few of them by some miracle will make it across the road without being hit
- Many will be seriously injured, and affected for the rest of their lives.
- Others will be killed.
- Some will be maimed, never to fit in or live a normal life like other people.

To the people who disagree and think children are safe with drug users then I say please help them even more. Set up child care centres and offer the drug users jobs there. Of course you will send your children and grandchildren there; if it is safe for my children then it is safe enough for yours also.

Yours sincerely  
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