

Submission to Senate Committee Inquiry

In October 2000, I took over care of my sister's three children. My sister died of what has been called an accidental overdose. In constructing this submission I am providing a brief history of my sister's life and circumstances which lead to her death and also my own experiences as a single woman caring for her children as well as my own.

My sister's story...

My sister and I were children from what was known as a broken home; a single parent family consisting of two brothers and four sisters, two of whom had intellectual/physical disabilities. We grew up in the period before the reforms of the Whitlam government. We were disadvantaged, poor, ignored and constantly under the surveillance of the so called welfare system.

A failure to address a traumatic childhood experience which she suffered at the age of four eventually lead to her lifelong self abuse through the use of drugs and alcohol. Her 'problem' behavior was dismissed as that of an uncontrollable child and she was subsequently dealt with by the welfare system being committed to Reiby at the age of 14. This was the first of her many experiences of institutions including Rozelle, Callan Park, Gladesville hospitals.

Her life between the ages of 15 to 41 panned out between the highs and lows of addiction and self abuse. In all of this my sister was a loving, caring, kind and gentle person who was driven by a guilt that she had completely repressed. An unfounded guilt bequeathed by the circumstance of silence in which she was a victim. In 1989 she married and had her first child, within five months of his birth she was pregnant again expecting twins. Her marriage had broken down and her husband returned to the USA in 1990, breaking off all contact with her for many years. Six weeks after the birth of the twins, she disappeared for a number of days leaving the children unattended until they were found by the police. Clearly suffering from post natal depression added to by a lack of support from welfare agencies, living in a flat above a shop where she paid full rent, the loss of her partner and the death of an elderly friend who was her anchor were clearly too much. She was located by the police, charged and sentenced to a period of detention (9-12months) and rehabilitation at the Salvation Army Centre on the Central Coast. The twins were cared for by our mother and I at this time. Financial assistance was offered by DOCS to foster parents caring for the older child; however no assistance was given to my mother to assist in the care of the twins.

During the period of rehabilitation my sister was granted emergency housing and respite support through the Aunts and Uncles Program. On completion of the rehabilitation program she went through a period of reasonable stability for a number of years. In 1996 she was raped by a number of men and was later told she was HIV positive a fact she kept to herself until her death in 2000. It was from this time that she began drinking once again, moderately for a while and then reverting back into a pattern of disappearing for days. During these periods our mother cared for the children, but increasingly alerted DOCS. As the children were made State Wards at the ages of six weeks and fifteen months respectively more help should have been available, however my sister felt harassed by DOCS and saw them as 'policing' rather than supportive which had been her

own childhood experience of the welfare system. It is difficult for others who have not had similar experiences to appreciate the loneliness, desperation, isolation, hopelessness and the distrust of authorities that my sister was familiar with. The final straw came when in December of 1998, our slightly intellectual disabled sister was diagnosed with terminal breast cancer, watching her die, and hearing comments from our stepfather such as, “why her and not you.” Having gone through all the experiences of our dying sister of losing our lovely angel sister, of losing the children’s special “lolly” aunty, and facing alone that she too would go down this path sooner or later was too much. She began drinking heavily and using drugs eventually heroin, which led to her lonely death in a park at Darlinghurst in the early hours of the last day of the Sydney Olympic Games.

A call from the police, the terrible moment of identifying her body and the search for the whereabouts of the children finally locating them at a neighbour’s house who we soon learned was her dealer, and who was very well known to DOCS. I took them home with me to my two bedroom rented flat which I shared with my 16 year old daughter.

My story

Childhood is a shared memory, as the eldest girl in the family I became my mother’s confidant and support at the age of nine, when our father left. By age 14 I had been replaced by my mother’s new partner who would later become my stepfather. My childhood had been delightful up until an accident involving my youngest brother and youngest sister who I have written about here. Our childhood was full of picnics and care freeness in rural Gippsland until then. Moving to the City as my brother was hospitalized for over a year, the financial strain on my parents was unendurable; my father took the easy way out and left the country. We had nothing and from this time on all I can remember is being poor and not having enough food. We were made to feel ashamed because we were a family without a man. This was in 1962.

My mother decided to start anew moving to Sydney in 1964, we lived in run down housing, eventually being evicted and given emergency housing out west at St Marys, a housing commission ghetto where the poor of Sydney were relegated, which I maintain to this day, to be out of sight and out of mind by the policy makers of the day.

By 14 I was lost, and living in an unfamiliar world, I began searching for those things that I longed for, not known to me then as simply feeling loved and wanted, I was attracted to equally disenfranchised kids. Although I was academically gifted I began to drift away from school and was encouraged by my mother to take up office work and help meet expenses. I would walk to work from the housing area to St Marys Industrial area. One morning I took up an offer for a lift to work by a group of boys one of them who I had known from school. I was raped by all five of them and left in the bush in an area that separates the housing from the industrial sites at St Marys. It was from this moment onwards that I became labeled as the “bad girl” who would eventually be “locked up” for my own so called “safety”. All the usual happened, walking back home, telling my mother, being taken to the police station, going through the reporting, medical examination and later identifying the perpetrators in a line up. Then court, a farce, I was questioned and re questioned about my sexual experiences, it was humiliating. I cried a

lot. No counseling, no support and at the end of the hearing even though all the evidence was solid the perpetrators got off without the slightest hint of wrongdoing. There was no way I could make any sense of this apart from an overwhelming sense of shame and guilt, that I had deserved what happened to me, that I had shamed my family and that I would put all my siblings at risk. I began hanging out with others, staying away from home, I wanted it all to go away but it didn't so I did. I took off to join the season pickers at Leeton was eventually picked up by police, returned to Sydney cuffed to handrail during the train journey, delivered in a big black car accompanied by 2 minders to the lock up at the Glebe Children's court where I was held in a prison cell overnight until my hearing.

This whole experience was extremely frightening; I had no contact from my mother and did not understand what was happening. The next day in court I was charged with exposed to moral danger and remanded into my mothers care. I was 15. Returning to St Marys I once again started work this time in the city, traveling in each day, coming home to find my mother and stepfather frequently arguing, my mother was expecting her seventh child. My elder brother had been sent away to live in Melbourne with my Uncle. My younger brothers and sisters were struggling at school. My youngest brother who had intellectual and physical disabilities, began attending a special school at Werrington.

A few weeks before Christmas 1969, I left home again, this time living in the city, I returned home Christmas day and was then taken by my mother to the police station and handed over. I have very vague memories of this time. I ended up in Minda for about 3 weeks during which time I appeared in court and was committed to Parramatta Girls Home where I remained until late August 1970.

The damaging experiences of Parramatta have never left me, the humiliation and shame which I was already feeling was constantly reinforced. Privacy in any form did not exist. Support or kindness never offered. Silence and control ruled. For years after I would have dreams of being pursued by demons, of being caged in the long walkway area that joined the dormitory buildings to the dining room buildings, looking out to either side through the wire mesh at gigantic reptilian creatures that would throw themselves against the cage in an attempt to devour me. I have difficulty dealing with authorities; I'm distrustful of "do-gooders." In the past I have found it difficult to accept people and have tended to break away and reinvent myself in order to avoid being discovered as one of those bad girls who is not good enough. In spite of all of this I have achieved a great deal in my life and have come to accept and celebrate the wonderful person I am today.

Up until October 2000, I have never had to deal with any welfare agencies, but since then I have had to return to them for support in bringing up my sisters children.

The children, twins a boy and girl (aged 9) and their elder brother (age 10) came to me all in urgent need of support. Grief and loss, anger, frustration, uncertainty, years of inconsistent care, fearful of unknown, unfamiliar places and people; these were all evident in the children.

The most urgent need was to find a place where we could all live, the Dept of Housing provided emergency housing and by Jan 1, 2001 we moved into our new home. The children started at the local school who were tremendously helpful and supportive. My own children aged 17 and 18 were also living with me. Our new family had all experienced first the loss of one sister/aunt and then another sister/aunt/mother within a

six month period. I tried to locate counseling support for all of us and was constantly directed on to try another, having meet with the usual response “we are all booked up for the next few months you have to go on a waiting list.” No grief counseling was ever provided.

I had to hunt around for furniture, I found a big old fridge on the street which we used until recently. I was unaware that I was entitled to financial assistance from DOCS as the children’s carer, I was unaware that I was entitled to what DOCS refer to as an establishment fee of 1400 per child to help meet the costs of setting up a home. I was only informed about these entitlements when I meet with a Family Law Court solicitor in July 2003 at the commencement of formal application for the care of the children. I did receive the Parenting Payment. It grates me to this day that had this assistance been available to me from day one I would have paid for therapy/counseling for the children, I would have been able to pay for home help, to indulge the children in family holidays, to provide some more than necessary comforts for them and to have kept them together in my home as a family.

In addition to the strains that we were put under, I was constantly being harassed by a woman who was in the Aunts and Uncles Program and who had been the “aunty” for my niece. My sister had told me over and over again how unhappy she was about her daughter being involved with this woman. How the ‘aunt’ had constantly attempted to erode her relationship with daughter. My niece had overheard conversations whilst in the home of the aunt, “that we’d like to adopt the pretty little black girl.” She was always torn between her loyalty and love of her mother and the seemingly abundant array of toys and treats on offer by this woman.

In the period between my sisters death and her burial, this woman constantly rang me requesting that she have the child, my refusal resulted in her reporting to DOCS her concerns that the children were not safe which resulted in the first of many investigations by them into my home, environment and circumstances.

Both the younger boy and his elder brother have needed learning support. Both have attended Special schools, the elder boy still attends a special school and has also attended at the Rivendell unit for nearly two years. He has been diagnosed with Post Traumatic Stress Disorder. The children were clearly traumatized by the death of their mother in addition to a lifetime of issues of abandonment and exposure to danger in the company of their mother when she took them with her on her search for a good time when drinking.

I felt that the children needed a loving stable home, where they felt safe and remained connected to their cousins and grandparents. This too was their mothers wish and she had constantly sought my promise to care for her children if anything happened to her.

Looking after the children was hard, constant visits to the school, seeking out support services, meetings with DOCS workers, talking to school counselors, psychiatrists whilst also supporting my children in their transition from school to work. In addition to attending to domestic duties for a household of six, attending university fulltime my only respite was provided by my mother who would take the children for weekends once a month and for a week during school holidays.

Everything seemed to escalate towards a breakdown starting around July 2002 when the elder child was in his first year at High School. He was identified as needing support in literacy and placed into a special program which he clearly could not cope with and having no one to listen to his difficulties he ended up throwing a chair. He was suspended, meetings were held, understandings reached, but from that moment onwards he became a visible target. Within two months it was recommended by the school, DOCS and the Mental Health Team that he be placed under the care of a psychiatrist. He was put in a no win situation at school where he was constantly monitored. The final straw when he was overheard in a conversation with a school mate that he wanted to kill the teacher. The teacher he was referring to was an inexperienced student teacher who my nephew claims refused to help him in class, thereby creating in him a level of anxiety and frustration which he clearly could not cope with. He was suspended yet again and the school took the position of OH&S concerns and asked that he be sent to Rivendell for assessment.

It is clear that my nephew is a child crying out for help and instead of helping and supporting him he is labeled and documented as having a mental health condition. Importantly, he has never acted on any threat, he is passive and withdrawing in nature.

Whilst this situation was happening with him, his younger brother was also going through the loops. He also had been placed at a special school (Bridge Rd) and had been involved in a number of incidences at school with the resulting suspension, meetings and recommendations.

Both boys had behaviors that were difficult to manage, their sister however was well settled at school and progressing without any major problems during this time.

In November 2002 I asked for help from DOCS and Barnardos to look at alternatives. I considered the option of having the children fostered out, however was reluctant to do so but eventually by January of 2003 the twins were placed with the family of the 'aunt' from the Aunts and Uncles Program who I referred to earlier in this submission.

I made the decision that they be fostered with this family, because I felt that at least they were known to the children thereby offering the children some form of continuity. Between July and October 2003, I attended the Children's Court to formalize arrangements. Orders were finalized on the 15/10/03.

Of pressing concern now, is the ongoing contact between the children. In the Minute of Care Order it was stipulated that the children have regular monthly contact (overnight weekends) at my home or at my mothers home. Contact has been irregular due to the reluctance of the foster family. It is evident that the foster parent is using the children in some personal vendetta she has against me and my family. The children complain of not feeling loved, that there is no warmth of affection offered to them. Their physical needs are being met but they are controlled and threatened particularly the boy, if they say anything to DOCS about what they are experiencing.

DOCS are aware of the situation in regards to access visits and are trying to resolve the matter. The greatest barrier I face is constantly having to defend myself to DOCS about claims that are made about me, my home environment or the elder boy that have continually been generated by their now foster parent since October 2000. Every claim

made has been investigated and found to be unsubstantiated, but I'm tired of having to constantly go through the hoops because of her vendetta against me. I have not covered all of the difficulties that I and the children have faced in these last few years, but when I think back now I realize that too much of the burden I carried was generated by her through her ability to direct the focus of DOCS onto me and my family by using DOCS reporting procedures to achieve her aim to do, in her words, "whatever it takes to have the child," my niece, placed with her.

In conclusion we all want a perfect world where there is no suffering, but we do not live in a perfect world. In my opinion these questions remain to be answered

Why couldn't it have been possible for me to have had the support I needed to have kept these children together?

Why haven't DOCS been more active in ensuring that the children remain connected?

Why isn't it that even though the children may have to live at different addresses that they not be part of an extended family where the adults put aside their differences to focus on the children's needs, to include rather than exclude?

Why is it that being the sister of one who died of an overdose, who tried but was overwhelmed by her circumstances that by association, my judgment and actions are brought into question?

Why is it that the stigma of my past, my label as a Parramatta Girl still impact on my life? How is it that so called "upright citizens" who have never experienced disadvantage had more weight given to their opinions than mine?

How is it that anyone can report to DOCS, be protected under privacy laws and never have their motivations questioned?

Why isn't there an emergency plan put in place for children and families when they go through the transition of grief and adjustment to placements?

Why isn't the background and life experiences of children taken into consideration when responding to their behaviors rather than questions being raised that suggest that their behaviors are resulting from incidents in their current situation?