

Inquiry Into Child Protection
LEGISLATIVE COUNCIL
GENERAL PURPOSE STANDING COMMITTEE NO. 2

**Alliance
for Family Preservation**



and Restoration

**In response to a Question asked by the Hon Paul Green:
CASES of REMOVALS of BABIES at BIRTH by FACS NSW**

You will read in the cases presented below what is happening at the frontline is new born removals in many different areas of the state. Many of these removals are not legal as no documentation is served on the mother at the time their newborn is removed.

Often FACS just give instructions to Hospital staff, who do what FACS say with no legal right to do so. We have raised this issue with individual Hospitals and Health Districts informing them that they are acting illegally themselves if they keep parents from their children and deny breastfeeding on only the instructions of FACS when no legal Paperwork has been provided by FACS and the response is always that it is a FACS matter and we need to take it up with them. Hospitals need to be educated about the part they are playing in illegal newborn removals and they should be held accountable as well in these situations as they have a duty of care to their patients.

All names have been removed, as parents who have consented to their case summary being presented remain fearful that FACS may get access to this information and use it to punish them.

These cases clearly show why parenting contracts should be used and filed in court and if parents comply with all that FACS request, they should then automatically be able to keep their babies. By not using the parenting contracts it allows FACS to do what ever they want including abusing their power. The constant denial of breast feeding especially colostrum is not in the best interest of any baby but FACS continually deny the newborn babies their right to receive colostrum weakening their immune systems. These are uneducated decisions being made by FACS workers who are not health professionals and we see it as abuse of power and detrimental to both the baby and mother.

While the Federal Government has already made apologies to the Stolen Generations, Forgotten Australians and for past forced adoptions these cases will show that NOTHING

has changed on the frontline with FACS NSW continuing the crimes already apologised for in the past.

This is why FACS Policies and Procedures must be made law so they can be enforced when broken and why it is vital that all child protection workers be registered to practice so an independent governing body can oversee their behaviour and take action when caseworkers engage in professional misconduct and crimes against vulnerable children and families because no one is holding them accountable in Australia unlike other Western Nations where Registration is Mandatory. It is clear in many of these cases that these babies are not being taken as a last resort.

Case 1: DOCS Wollongong removed the newborn from Wollongong Hospital in 2014. The baby was born late on a Friday night and DOCS without any paperwork informed the Hospital to hold the baby till Monday morning and not allow the mother to Breast feed. The Hospital obeyed DOCS despite no paperwork or legal right to do so.

On the Monday morning DOCS had a social worker took the mother and her support person up to the Children's ward for an interview (the maternity unit was on level 2, children's ward was level 3). While they were there DOCS moved the baby to the neo natal unit. The mother was then told by DOCS that because she has a disability (a speech impediment) that there was nothing she could do to become a better parent. DOCS offered her no help or support, they told the mother she could say a quick goodbye to her baby but then had to leave the hospital. The midwife's did all they could to stop it happening. The mother never got to breastfeed and docs told her to leave the hospital even though the midwives and her Doctor insisted she had to stay for her own medical care. She received no help or support from docs and had no prior warning the baby was to be removed. The midwives tried to tell docs that she was doing well and coping well with the baby but they did not listen. Many staff voiced their surprised and anger that DOCS removed this newborn baby.

In care court false allegations of drug addiction and neglect were made against the mother. Drug testing proved the mother was not a drug user, her house was a mess but not unclean and her support person had helped her better organise the house for the arrival of the baby. Apart from proving the mother had never used drugs her Legal Aid solicitor did not defend her in court and the baby was placed on an 18 year order.

Case 2: FACS Broken Hill NSW informed Families SA to remove this mother's baby at birth on 7 December 2015 from Flinders Hospital in Adelaide. No breastfeeding was allowed. The mother was bleeding heavily after the birth and was still exposed having medical treatment when police and Families SA workers burst into the birth unit and removed the baby 30 minutes after the birth and the parents were not even allowed to say goodbye.

The mothers 2 eldest children were wrongly taken into care by FACS after she was falsely accused of abuse and that case had not been proven by FACS in NSW. Her ex husband was an evidenced domestic violence (DV) abuser and had used FACS to help his Family Law Court (FLC) case to gain custody of their 2 children by making false allegations to FACS against the mother. After FACS removed the 2 children from the mother on false abuse allegations they placed them with the DV abusing father then withdrew from the case and the ex husband was then able to gain full custody till the children were 18 in the Family Law Court.

The Father of the newborn baby the mother's new partner had no previous children nor child protection history but had grown up not knowing his father raised by a single

mother and because of this was described to the Care Court by FACS as having a probable poor parenting capacity and the court believed FACS opinion.

No help and support was provided by the department despite promises 2 days after removal that they would help and support the family to stay together none of those promises eventuated and instead FACS sought an 18 year order. FACS Broken Hill admitted under oath that they had personal reasons for getting involved not just departmental as they had connections to the mother's ex husband.

The parent's sort to do parenting courses themselves such as Circle of Security and sort support from a counselor. The parents lost Legal aid and had to represent themselves at the final orders because the case was deemed to have no merit after FACS had told legal aid the mother would lose in court. They lost the Care Court case and are now fighting for the restoration of their baby in the Supreme Court.

Case 3: The mother gave birth to her son at Bankstown hospital on 5 February 2016 and Liverpool FACS removed the baby from the hospital when he was 2 weeks old after continually telling the mother she would be able to take the baby home. A couple of days after the birth the mother received a call from FACS saying they wanted to do a safety assessment and that she had to stop breastfeeding and the baby was to remain in the hospital. No paperwork was supplied but the hospital obeyed FACS orders anyway.

They told the parents they had 4 hours to say goodbye before their son was taken after the risk assessment decided the mother had an intellectual disability that would impair her parenting capacity. FACS provided no help or support for the family to remain together. There was no finding of risk against the father. There were several alternatives to removal of the baby including placement with supportive family members but all were ignored by FACS. The parents are still fighting FACS for restoration of their son.

Case 4: This newborn baby was removed by FACS Edgeworth on 7 September 2015 from John Hunter Hospital. The mother was still recovering from sedation after the cesarean section delivery and a midwife had just put the baby onto her breast for the first feed of Colostrum when a FACS worker entered the room, removed the baby from the breast and took the baby without even allowing the mother to say goodbye when the baby was just 2 hours old. The mother was not allowed to breastfeed the baby. FACS had previously told the mother they were not looking at removing the baby. No help or support was provided by FACS either before or after removal. The mother was told by FACS NSW that if she went to the media or talked about this on Facebook she would never get her baby back. The reason for removal is the mother had disclosed to the hospital a history of a past Domestic Violence relationship 2 years prior in QLD and that she had moved away from that violent partner to NSW to protect her children in answer to a question asked in prenatal care. FACS then removed her other 3 children 3 days before the birth of the baby despite no present risk of harm. The mother is still fighting to get the baby and her other children back.

Case 5: Mount Druitt FACS office removed the newborn baby from Nepean hospital the morning after the C-section delivery. The mother was not allowed to breastfeed her baby. FACS had told the mother that she would be keeping her baby but removed her anyway just hours after the birth on 9 May 2016. FACS had concerns about the mother's parenting capacity, they did not provide any help or support to the mother. The mother is still fighting in Care Court for the return of her baby.

Case 6: This mother's newborn baby was removed at birth from Westmead Hospital on 26 June 2013 by DOCS Parramatta. The reason for removal was this mother had escaped from a DV relationship but did not yet have stable housing. Her request to breastfeed was denied. She had no idea that FACS would take her baby and no help or support was ever provided by FACS. She was poorly represented by a Legal Aid solicitor who did not take her instruction or defend her and consented to both Establishment and final orders till the baby is 18 against the wishes of the mother.

Case 7: This baby was removed from his mother at Campbelltown hospital by FACS Ingleburn when he was 1 day old on 28 May 2015. The mother breast fed her baby for the first day but was not allowed to continue to breast feed once FACS removed him. The reason for removal according to FACS was possible future risk of harm as a young mother. No help or support was provided by FACS. The outcome was fighting in Care court for 13 months, half that time being refused restoration now after such a long fight FACS have offered Newpin services for restoration.

Case 8: St Marys FACS removed the newborn baby from Nepean hospital on 20 December 2015. Reason for removal the father had smoked dope. He then got help from Drug services and completed drug courses and was clean, and was honest with FACS and had told them of his history. FACS had said, the parents could keep the baby in their care, but then changed their minds and decided to remove the baby on the 3rd day after birth. The mother had been breastfeeding until removal and then continued to express her breast milk every 3 hours and deliver it to FACS for her baby to the Out of Home Care FACS freezer every visitation. However after 2 months, the mother found out that FACS didn't give any of her expressed breast milk to her baby so she stopped expressing. A parental capacity report was then requested by FACS that was full of lies, and discrimination and, deemed the mother unfit. No help or support was offered by FACS. The parents are still fighting for the return of their baby and to evidence the lies stated in the parental capacity report.

CASE 9: This mother had two newborn babies taken, both from Campbelltown hospital by FACS Campbelltown. The first baby was born in September 2012 and FACS alleged the baby had been emotionally harmed even though not yet born as the mother had been in a Domestically violent relationship with the father but had already left him. The baby girl was taken 5 hours after birth on a Saturday. The second child was born in September 2013 and the mother and her new partner did not know she was pregnant until a FACS worker searched the mothers Medicare records and called her doctor to find out why she had visited the doctor and then requested her Doctor to perform a pregnancy test on the mother without her knowledge or consent. Prior to learning she was pregnant after this pregnancy test the doctor had kept telling the mother the reason she felt sick was from the stress she was under fighting to have her first baby returned through Care Court and fighting the Criminal abuse case against her ex partner. The second baby was removed due to "attempted concealment of the pregnancy" which was not true and the mother would have informed FACS if she had of known and also that her first born baby had been removed. The second baby was removed a few hours after birth. FACS would not let the mother breastfeed despite fighting as best they could to be allowed to as it was in the baby's best interest. The mother lost both cases in Care Court in 2014 because Legal Aid did not defend her. The parents now have a new private solicitor who is letting the parents pay off his fees each week and have returned the matter to court to fight for the return of both children.

Case 10: FACS Campbelltown removed the newborn baby from Campbelltown Hospital 6 hrs after he was born on 26 November 2009, because the mother had suffered a cardiac arrest during the delivery. When FACS arrived to take the baby the mother was still very ill from her heart having stopped and FACS used that as the reason for removal saying the baby was at risk of neglect as the mother would not be well enough to care for him. The mother was denied the chance to breastfeed by FACS and no help or support was provided by FACS. The baby was restored at 7 months after the mother fought FACS in court and won at great expense to her family.

Case 11: St Mary's DOCS removed this newborn at 3 days old from Nepean Hospital in January 2008 because the mother was young and had few supports. The entire time the mother was pregnant DOCS had told her she would be able to keep her baby. DOCS came in with an order of removal and told the mother if she moved into a supported house they would give him back. So after a few weeks of trying to find a placement without any help or support from DOCS the mother was accepted in supported accommodation for a period of 6 months. The mother and baby were then reunited and she cared for him very well for 6 months according to the reports. Then when the baby was 6 months old DOCS filed a care plan wanting orders till the baby was 18 years old for possible risk of future harm as the mother had never harmed her baby. The Legal Aid solicitor did not take the mothers instruction, nor fight for her to keep her baby and DOCS won the case with no evidence as none is needed in Care Court and the baby was removed again and placed in care till he is 18 years old and following the second removal the mother had a breakdown due to the grief, loss and worry for her son.

Case 12: FACS Gosford removed this newborn from Gosford Hospital in 2015 straight after birth despite the Paternal Grandmother willing and able to provide protective care for the baby, but FACS refused to even access her. The father and his partner were living with the Paternal Grandmother at the time and she had already prepared a room for the baby and planned to help her son and his partner care for the baby. FACS would not let the mother breastfeed. They had no idea the baby would be removed prior to FACS arriving in the Birth Unit. The only reason given for removal was the mother had been a child in care. The family is still fighting to have the baby returned.

Case 13: Wyong FACS removed the baby girl 4 hours after birth from Wyong Hospital in 2015 because the mother had an intellectual disability. The father has no disability. No help or support was provided and they were never given a chance to prove their capacity to be good parents. They did not even get a chance to breast feed or say goodbye, FACS then tricked the mother into signing their daughter away until she was 18 years old as they had no solicitor and she did not know what she was signing. The parents are heartbroken and devastated and still do not understand why their baby was "stolen".

Case 14: The newborn baby was removed 3 hrs after he was born at Christmas time 2015 from Nepean hospital by Mount Druitt FACS. FACS did not allow the mother to breastfeed. Their first contact with FACS was 6 weeks before the birth. The parents were told the month before the birth their baby was not being removed as the mother had lots of community support and was working with indigenous support services. FACS did not support the mother at all. The referrals FACS said they made never happened as proven in court documents later. FACS even told the mother's other support workers when they rang and emailed every week to ask for an update that they would not be taking the baby.

The reason FACS became involved and the baby was removed was because of the state of house that was being renovated at the time. The baby was born the week before renovations where to be completed. FACS where aware of the dates the renovations were to be completed as they were provided to them 6 weeks prior to birth at the first contact.

The mother even moved into a refuge from the time of discharge till the renovations on the home were completed, as that was the agreement reached before birth with FACS. The parents were involved with aboriginal family planning circles all goals were completed before birth except those FACS were supposed to compete. The outcome was the mother was forced to agree to an 18 years order after breaking down and not being able to cope with fighting against FACS any longer. FACS did not work with the parents at all and still won't as they kept saying that once there is no restoration as stated in their first Care Plan filed in the Care Court they don't have to work with families.

Case 15: This father's youngest son was removed 3 hours after he was born by Muswellbrook FACS from Singleton Hospital in May 2016. He has not been able to even meet his son as FACS has placed him in Catholic Care in Newcastle. They won't allow the father any contact at all with him. When he calls FACS they tell him to ring Catholic Care, when he calls Catholic Care they tell him to call FACS. Until DNA evidence proves he is the father FACS have refused to provide him with any information about the case even the reason for removal from the mother as they were no longer partners at the time of the birth.

Case 16: FACS removed this newborn at birth from Sydney Children's Hospital at Randwick because the mother was only 14 years old in 2014. FACS did not provide any help or support to the mother. The mother was supported by her sister, grandmothers and Aunts in her community.

In the mother's own words:

"What really made me angry with the whole FACS government organisation is that they tried to make me sign my little girl over to the state till she was 18. This wasn't a day or two later this was straight after I gave birth. Me being so young and exhausted I didn't know what the paperwork was and I didn't bother reading it cause honestly what 14 year old reads things all the way through. FACS just told me I had to sign it and I did.

They never let me have her in my room at the hospital they put her in the nursery for safety they said. What safety concern did they have? My aunty was in the room with me the whole time I love my little girl with my whole heart she's my world I would never hurt her. They made me feel like a criminal and a bad person that I couldn't even have my little girl with me what made it harder was that after I gave birth cause it was a natural birth I could hardly walk it hurt so bad to even get up and go to the toilet but I still got up every 10 – 30 minutes to go see her in the locked nursery.

A day after the birth the hospital told me I could go home I said I didn't want to go home I want to stay just one more day so I could spend more time with her they turned me down I felt so hopeless and depressed and I went into the nursery to have my last good bye it was so hard for me to say bye to my little angel I picked her up with all eyes watching me I told her "mummy loves you, mummy will never forget you, I love you". And then I put her down balling my eyes out as the door shut I was looking for comfort someone to hug me and say it'll be ok my FACS worker at the time told me she was not allowed to touch me and give me support."

Case 17: This mother has had 2 babies removed at birth both by FACS East Maitland, from the Maitland Hospital.

First Baby was delivered 1 month early and placed in the Special Care Nursery. Several false vexatious reports had been made to FACS by the new partner of the maternal grandfather who did not get on with the rest of the family and they were about the maternal grandmother. The mother was living with her mother (the maternal

grandmother) at the time the baby was born. The false allegations included that the Maternal grandmother had physically attacked the mother while she was pregnant and was drunk and on drugs. These allegations were proven false including clean drug tests by the maternal grandmother. So FACS informed the mother that she could keep her baby, as there were no risks found. But on day 6 the 3 March 2015 the mother and her family were taken to a room and confronted by 10 police officers and 4 FACS workers and handed paperwork stating the baby was being removed for possible future risk of harm. The parents were not even allowed to say goodbye and escorted from the Hospital. Ten days later the mother became very ill from an infection and nearly died and suffered a breakdown due to the forced removal of her son. FACS provided no help and support and their Legal Aid Solicitor did not take their instructions or fight for the return of their baby and 18 year orders were granted.

The second newborn removal was on 12 February 2016. By this time the parents were living in their own unit with everything set up for the baby. FACS had visited them 3 times during the pregnancy, at a pre natal visit, at their unit and at the Maternal Grandmothers House. FACS prepared Safety and Care Plans and all stated that the parents could keep this baby. But as soon as the baby was born and while the mother was exhausted FACS arrived with paperwork wanting the mother to sign 18 year orders for this baby. The mother refused. Later that afternoon 2 FACS workers again visited and told the family that they had reviewed the safety plan and care plan and they could keep their baby and they all signed the new Safety plan that stated they were of no risk to the child and could take him home that afternoon.

However the very next day 2 strangers who did not identify themselves arrived and asked the parents to go with them to another room for a meeting with FACS. The parents refused and said that they had worked everything out with FACS the afternoon before and could take their baby home and had the signed safety plan to prove it. Then 2 FACS workers entered the room and physically took the baby from the mother with NO paperwork at all. The parents did not even get to say goodbye. The mother was denied the right to breast feed her baby by FACS. The legal documents for removal were not provided for 4 days and the reason given for removal was that the brother was in care.

Both boys have been placed with Catholic care for adoption with non indigenous carers and FACS have refused to acknowledge the boys are indigenous even though evidence was provided from the Supreme Court proving the families Aboriginality and these children are indigenous.

The parents are still fighting the case to have their boys returned and to stop the forced adoptions. Sadly the first born who they are only allowed to see for a hour every 2 months has no bond with anyone and they are very distraught as all he does is sit in a corner and cry at contact and refuse their attempts to hug him because of the trauma and damage of his removal and such limited contact. The second baby boy they still get to see every week so far. The parents are also very concerned that when they do have contact with their boys they are covered in bruises and FACS do nothing about it. FACS have not provided any help or support to these parents, nor abided by the Aboriginal Placement principles.

Case 18: This father was living with his 18 year old daughter from a previous relationship and his 2 and a half year old daughter with his new partner. He and his partner had been having some difficulties in their relationship but for the sake of his young daughter he was trying to work things out. On 5 March 2016 the father was working outside when he heard a little baby crying and walked into the house to find his partner had just given birth to a new baby and was shocked, as he had no idea she was pregnant. He called an ambulance. The Mother and baby tested positive to drugs so the baby was removed

straight away by FACS Cessnock from Maitland Hospital and he was not allowed to even see his newborn son at all.

Meanwhile the mother took off from the Hospital and moved to South Australia and he has had no contact with her since the day the baby was born.

He received a phone call from FACS asking him to bring his daughters into their office so they could sight them and interview him 2 days after the baby boy was born and he did as asked. FACS found no risk to the children in his care.

Then the very next day 2 Police and 2 FACS workers broke into his home and forcibly removed his 2 year old daughter. And informed him he could not see the new baby or receive any information about him until he was proven to be the father through DNA testing. It took 3 months for FACS to confirm he was the father through DNA and he got to see and hold his son at a contact visit for the first time when he was 3 months old and given weekly visits since then.

The father has not received any help or support from FACS.

FACS failed to serve the father with any legal paperwork and only the day before he was to appear in court he was informed and then had to ride 14km's by bike to the FACS office to collect the FACS application and affidavit against him and he had no time to read it and respond to it or get a solicitor in time for the Establishment Hearing. A legal aid duty solicitor without his instructions consented to the case without admissions. FACS had a legal obligation to serve the paperwork on the father, which they ignored.

The father later found out in the court documents that his baby son remained in hospital for 2 weeks all alone and not even his 18 years old sister had been allowed to visit him. He also discovered that his children had been placed with the Maternal Grandparents who have actually split up but have not informed FACS and as they never liked him they have made a lot of derogatory untrue allegations to FACS about him. It was just revealed in court that FACS have not even done a placement assessment or any checks on the maternal grandparents so far and FACS have not even taken care of the needs of his children as his son has not even had a check up with a Paediatrician.

The father now has a solicitor and is currently fighting the case in Care Court to have his children restored.

Case 19: The parents in this new born removal in August 2015 were both children in care when they became pregnant. At the time of birth the mother was 18 and had left care while the father was still in care and aged 17 years old. They were both in Residential care for many years with different NGO's and had several support services involved with them. Despite FACS informing them they would be able to keep their baby as their support services and made many positive reports FACS Lakemba removed their baby at Birth from King George Hospital without warning. The reason given was as they had been in care they would not have the parenting capacity to raise the child. They were represented by Legal Aid solicitors who consented both to establishment and final orders against the will and instruction of the parents. FACS provided no help and support. The parents have on their own initiative completed several parenting courses but still lost their baby who was placed on an 18 year order.

A pro Bono Solicitor has now appealed their case in the District court and the matter is still before the court. Sadly unlike all other jurisdictions when a case is appealed the Final Orders made in Care Court still apply and the baby has been moved out of Sydney and

placed with an adoptive couple who are gay and live with a person who works for the very NGO who placed the child for adoption with this couple. The contact between the baby and parents has now been significantly reduced to the point they do not even know when they will see their son again.

Case 20: FACS Wyong removed this newborn baby 4 hours after he was born from Gosford Hospital in September 2014. FACS had told the mother and grandmother that she could keep the baby and it would not be removed several times and in a safety plan in writing before the birth. FACS refused the mothers request to Breastfeed. FACS provided no help and support and allowed only a short visit with the baby later that afternoon to say goodbye then told the mother she had to leave the hospital. No paperwork was provided by FACS when the baby was removed and it was not until over 2 weeks later that any documents and paperwork were provided by FACS to the mother. The baby was placed in Foster Care with an NGO and the carers want to adopt the baby. The Grandmother became a party to the case and fought for the baby but had poor legal aid representation and FACS did not like the grandmother and refused to even have her assessed for placement because she was supporting her daughter. The Grandmother has appealed the case and continues to fight for restoration of her grandson through the courts. There was no real reason given for the removal the document stated "Blanket issues" and when asked to explain the concerns as all reports were positive and the mother had completed numerous parenting courses FACS did not answer.

Case 21: The mother gave birth at 11.25 pm on 1 April 2015 at Kingaroy Hospital in QLD. The mother had suffered from gestational diabetes so the baby was monitored in the nursery overnight. After the first initial low blood glucose level at birth the baby was stable and had normal readings overnight due to frequent breast feeds. The mother had breast fed her baby six times since the birth and was sitting in a chair about to breast feed her baby for the 7th time at around lunchtime the following day 2 April 2015 (Easter Thursday) when 2 women approached the mother from behind and stated words to the effect that they were from Child Safety and were removing her baby straight away.

The mother began crying and asked why and where was their paperwork? The child safety worker responded with words to the effect they did not have paperwork. A caseworker then lent over the mother from behind and roughly grabbed the baby from the mothers' arms; both a mitten and blanket came off in the process and the caseworkers left with the baby. The mother was not even allowed to say goodbye and estimates the entire forced removal took around 40 seconds. As they were behind the mother the entire time she did not even get to see the faces of the caseworkers, nor did they provide any proof of identity or give a reason for removing the baby without any warning or prior contact with QLD Child Safety.

I spoke in person with the Indigenous Liaison officer at Kingaroy Hospital who informed me she received a phone call asking her to go and sit with the mother because 2 DOCS workers were coming to talk to the mother. The Indigenous worker was not told the baby was going to be forcibly removed. The officer described and demonstrated to me what occurred during the forced removal of this baby and her account confirmed the report by the mother. The indigenous Liaison Officer was both shocked and distressed by the behaviour of the DOCS caseworkers and she described the effect it had on her and how troubled she was over the Easter weekend by what she witnessed. She stated it brought back memories of the stolen generation and rabbit proof fence and that many others at the hospital had experience similar difficult emotions.

FACS Maitland NSW had contacted DOCS Kingaroy QLD in this case and requested the baby be removed at birth and put on a plane to NSW as they had carers lined up for the baby. The reason for removal was the mother was known to FACS Maitland as a former child in care and had acquired a juvenile justice record for minor matters while in care 6 years prior to the birth of this baby. Without any contact or assessment of the parents or their home in QLD, DOCS QLD carried out the orders of FACS NSW without question and did not even have any paperwork from FACS NSW at the time the newborn was forcibly removed. The paternal nonindigenous family who have no child protection concerns and live in NSW are fighting for permanent care of the baby.

CASE 22: I have included this case to illustrate the ongoing struggle and devastation of a family who had their youngest son removed at birth despite no prior child protection history and raising their 3 other sons who were aged 8, 10 and 11 at the time the newborn was removed who have all remained in their care.

This newborn was removed at birth from Gosford Hospital by DOCS Gosford in July 2006 and placed with a single nonindigenous female carer who wanted to adopt him from the start and has used her Surname for the child with no legal right to do so and done everything she possibly could to keep the baby from his mother, indigenous father and siblings all condoned by DOCS.

The mother had been hospitalised for the last 6 weeks of her pregnancy and during the admission was thought to be depressed so DOCS were informed. The mother asked them for help but instead of providing any help or support they just took her newborn son. She was not allowed to breast feed and as a result of her shock and distress at having her baby taken she suffered postnatal depression and Post Traumatic stress disorder. The newborn was indigenous and DOCS new this at the time they placed him in care.

Within 5 months of the forced removal of this newborn he was placed on 18 year orders. The reason given was the mother might self harm and the baby would be too young to be able to pick up the phone and call for help. DOCS never even visited the family home or did any investigations of the family and extended family many of whom wanted to care for this baby. The parents were poorly supported by a Legal aid solicitor who did not defend them or take their instructions. The immediate family was given only 6 contact visits a year and they have never missed any. Extended family members have all been denied contact. The entire family have all suffered trauma from the removal of their youngest son and brother as well as the removed child.

The mother has fought several times on her own with Section 90's for both increased contact and restoration and while no longer considered of any risk to the removed child, has been denied each time on the grounds that the child has a bond with the carer and is stable in his placement.

The Alliance became involved in this case 2 years ago when the mother received paperwork to have this child forcibly adopted and we advocated strongly against such a move and for restoration of this child to his loving family where he belongs. So far the adoption plans have been put on hold but no effort towards restoration or increased contact with his family has been allowed by the carer or FACS NSW. Only due to the adoption assessment did FACS conduct their first home visit and speak to the older siblings for the first time ever 7 years after they forcibly removed this newborn baby.

Inquiry Into Child Protection
LEGISLATIVE COUNCIL
GENERAL PURPOSE STANDING COMMITTEE NO. 2

**Alliance
for Family Preservation**



and Restoration

In response to a Question asked by Mr David Shoebridge

Evidence for the statistics for children in care for the table on page 2 of our submission, which was collated in early 2014 on the latest available statistics at that time.

We have taken this opportunity to update the statistics where possible and the updated information is provided in the new table and evidence below:

Australia shamefully continues to have the highest number of children in Care per head of population than other western nations because we lack the accountability in child protection that other western nations have built into their systems. Australia has not learned from the lessons of other countries and focused primarily on early intervention, family support and preservation and in NSW restoration by in most cases taking 18 year orders without case reviews.

Mandatory registration for all child protection workers is the first line of accountability that is lacking in Australia along with no independent complaints mechanism that has the power to investigate and prosecute crimes against vulnerable children and families by the child protection Industry.

The Evidence given to the Committee by the Ombudsman's office at the public Hearing was misleading when the deputy Ombudsman spoke of clear up rates for complaints. I was able to speak with two of his staff that were in attendance on the last two public Hearing days and I informed them I was not happy with their office or the way they had misled Parliament. The clear up rate of complaints is high because the ombudsman uses a part of his legislation that says any matter that is before the court they cannot investigate and as all child protection matters are before the court they do nothing with the evidenced complaints. When the court matter is finished the Ombudsman's office again dismiss complaints on the basis they are 12 months old. So their clear up rate is high because they send out standard letters to this effect when the complaint is about FACS NSW. When I spoke with the representatives from the Ombudsman's office they agreed with me and said they had read our submission and

explained that complaints from vulnerable children and families involved with FACS was not part of their legislation power and that is why they cannot investigate the complaints.

Country	Population	Number of children in OOHC	Rate per million
Australia	23.5 Million	54,000	2298
Finland	5.4 million	10,675	1851
Canada	35.5 million	62,000	1746
USA	319 Million	402,000	1260
UK	64.1 Million	68,000	1060
New Zealand	4.5 million	4129	917
Sweden	9.6 Million	8025	833
Spain	46.5 million	35,500	763
Norway	5 million	3300	660
Italy	60.7 million	29,300	482

Due to the refugee situation in Europe countries like Norway and Sweden have taken into care many unaccompanied minor children causing the rise in their numbers. While other European countries such as Italy have not released updated statistics due to both the refugee influx and reporting obligations to the European Union rather than individual country reports.

Australia population: 23,490,000

<http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/3101.0Main+Features1Jun%202014>

Australian Children in OOHC: 54,025

<http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129554973>

2.2 Child protection services received

Figure 2.1 shows that 151,980 children received child protection services in 2014–15, a rate of 28.6 per 1,000 children aged 0–17 in the general population.

Of children receiving child protection services in 2014–15, 107,121 were the subject of an investigation (20.2 per 1,000), 57,861 were on a care and protection order (10.9 per 1,000) and 54,025 were in out-of-home care (10.2 per 1,000). These rates varied across jurisdictions (Table 2.1). The key differences that can affect these data are outlined on page 4 and at Appendix F (online) <<http://www.aihw.gov.au/publication-detail/?id=60129554728>>. Children may be involved in more than one component of the system. As such, the components do not sum to the total children receiving child protection services (see Figure 2.2 for the overlap of services received).

New Zealand Population: 4,509,700

http://www.stats.govt.nz/browse_for_stats/snapshots-of-nz/nz-in-profile-2015/population.aspx

New Zealand in Profile: 2015

Table of contents

View all chapters +

Population

2004	4,087,500
2014 (estimated)	4,509,700

New Zealand children in OOHC: 4129

<http://www.cyf.govt.nz/about-us/key-statistics/kids-in-care.html>

Distinct children and young people in out of home placements

The information below gives a snapshot of the number of distinct children and young people in out of home placements, by placement type, as at the end of the month shown (eg as at 30 June).

Placement Type	June 2012	June 2013	June 2014
Non Family / Whānau Placement	1,427	1,298	1,269
Family / Whānau Placement	1,639	1,698	1,999
Child and Family Support Services ¹	518	521	536
CYF Family Home Placement	114	103	114
Residential Placement	47	47	34
Other Supported Accommodation	139	177	177
Distinct children and young people	3,884	3,844	4,129

Finland Population statistics:

http://www.stat.fi/til/vaerak/2014/vaerak_2014-03-27_tie_001_en.html

Finland's population was 5,471,753 at the turn of the year

According to Statistics Finland's statistics on population structure, the official total population of Finland at the end of 2014 was 5,471,753. Finland had a male population of 2,691,863 and a female population of 2,779,890. In the course of 2014, Finland's population grew by 20,483 persons. Eighty-seven per cent of the population growth occurred in Uusimaa and 77 per cent in the Helsinki region. The growth in the size of the population was good 4,000 persons lower than one year earlier.

Finland Child in Care Statistics: <https://www.thl.fi/en/web/thlfi-en/statistics/statistics-by-topic/social-services-children-adolescents-and-families/childwelfare>



NATIONAL INSTITUTE
FOR HEALTH AND WELFARE

[CONTACT](#) / [FI](#)

WHAT'S NEW

TOPICS

SERVICES

RESEARCH AND
EXPERT WORK

STATISTICS

PU

[THL.FI](#) > [STATISTICS](#) > [STATISTICS BY TOPIC](#) > [SOCIAL SERVICES, CHILDREN, ADOLESCENTS AND FAMILIES](#) > [CHILD WELFARE 2014](#)

STATISTICS

Statistics by topic

Social services, children,
adolescents and families

Child guidance and
family counselling

Child maintenance and
custody 2015

Child welfare 2014

Day care

Processing times in

Child welfare 2014

Statistical report and appendices


- [Whole statistical report](#)
- [Statistical graphs \(ppt 596 KB\)](#)
- [Appendix table 1. \(xls 131 KB\)](#)
- [Appendix table 2. \(xls 139 KB\)](#)

Decrease in the number of emergency placements in 2014


There were 3 773 children in emergency placement in 2014, showing an increase of 10 per cent on 2013. The number of children in emergency placement increased considerably during the whole of the 2000s but took a clear downward turn in 2014.


There were 10 675 children placed in care in 2014. This was 1.4 per cent down on the previous year.

Population statistics in Canada:
<http://www.statcan.gc.ca/daily-quotidien/140926/dq140926b-eng.htm>

 Statistics Canada Statistique Canada

[Français](#)

Search website 

Information for... 


Browse by subject


Browse by key resource


About StatCan


Canada.ca


[Home](#) → [The Daily](#)


The Daily 


 In the news

 Indicators

 Releases by subject

 Special interest

 Release schedule

 Information

Canada's population estimates: Age and sex, 2014

[Text](#) [CANSIM tables](#) [Related information](#) [Previous release](#) [PDF \(22 KB\)](#)

Released: 2014-09-26

On July 1, 2014, Canada's population was estimated at 35,540,400, up 386,100 or 1.1% over the last year (2013/2014). This increase was slightly lower than that of the previous year (+1.2% in 2012/2013) but similar to the average annual population increase for the last 30 years (+1.1%).

Children in Care in Canada:
<http://cwrp.ca/faqs>

How many children are in the care of child welfare systems in Canada?

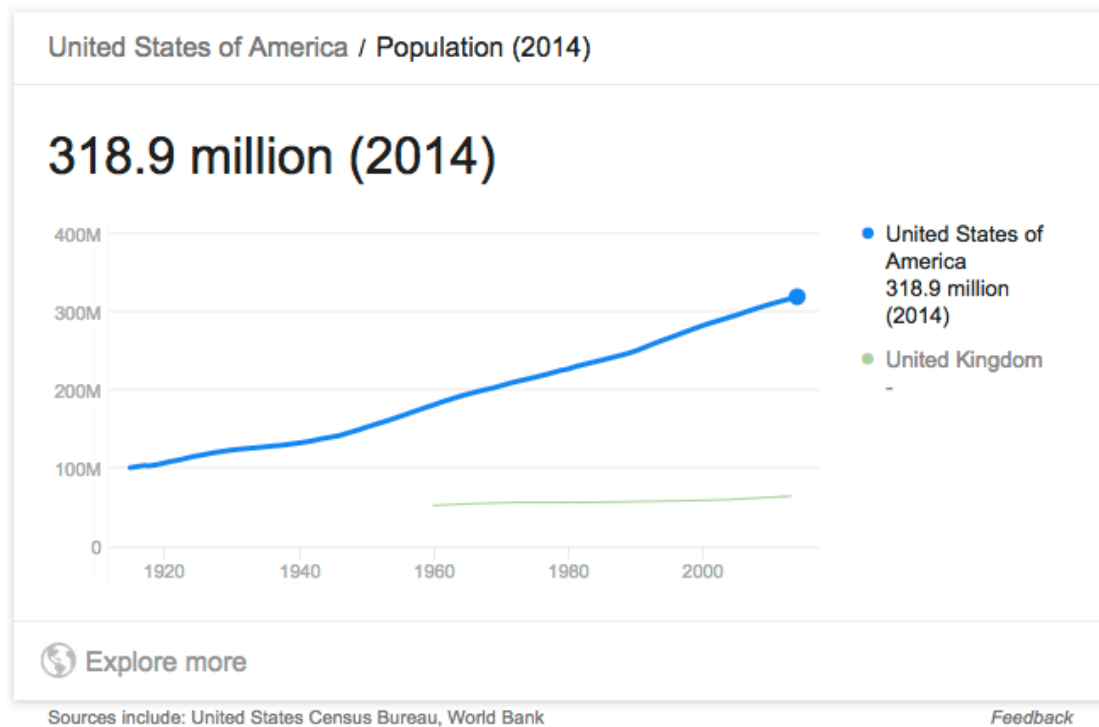
In 2013, there were an estimated 62,428 children in out-of-home care across Canada ([Jones, Sinha, & Trocmé, 2015](#)). Because child welfare services fall under the jurisdiction of provincial and territorial authorities each province has different legislation pertaining to child protection interventions, making it difficult to compare rates of children in out-of-home care across provinces. For information on the number of children in care by province or territory please see the statistics section for the specific province/territory of interest:

Number of children in out of home care in the Canadian provinces (1992-2013; including and excluding Quebec)

Year	Excluding Quebec	Including Quebec	Year	Excluding Quebec	Including Quebec
1992	30,935	not available	2003	49,096	62,063
1993	31,256		2004	49,752	63,167
1994	31,420		2005	50,080	62,792
1995	32,392		2006	50,828	63,294
1996	34,184		2007	52,345	64,525
1997	36,551		2008	52,729	64,643
1998	39,491		2009	53,181	64,755
1999	42,520		2010	52,138	63,390
2000	44,545		2011	51,833	63,072
2001	45,901		2012	51,750	63,128
			2013	51,170	62,428

USA Population statistics:

<http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>



USA children in care statistics:

<http://www.acf.hhs.gov/sites/default/files/cb/afcarsreport21.pdf>



U.S. Department of Health and Human Services, Administration for Children and Families,
Administration on Children, Youth and Families, Children's Bureau, <http://www.acf.hhs.gov/programs/cb>

The AFCARS Report

Preliminary FY¹ 2013 Estimates as of July 2014 • No. 21

SOURCE: Adoption and Foster Care Analysis and Reporting System (AFCARS) FY 2013 data²

Numbers At A Glance					
	2009	2010	2011	2012	2013
Number in foster care on September 30 of the FY	418,672	404,878	397,827	396,892	402,378
Number entered foster care during FY	254,896	256,092	251,365	251,539	254,904
Number exited foster care during FY	277,606	257,806	246,438	240,936	238,280
Number waiting to be adopted on September 30 of the FY	113,798	108,746	106,352	101,737	101,840
Number waiting to be adopted whose parental rights (for all living parents) were terminated during FY	71,381	65,747	62,786	59,063	58,887
Number adopted with public child welfare agency involvement during FY	57,187	53,547	50,901	52,042	50,608

UK Population statistics:

<http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/rel/pop-estimate/population-estimates-for-uk--england-and-wales--scotland-and-northern-ireland/2013/sty-population-estimates.html>

 The National Archives

This archived web content was captured on 07/01/2016 for permanent preservation in the UK Government Web Archive. We do not use cookies but some may be left in your browser from archived websites. [Find out more about cookies.](#)
Browse dates: [First](#) [Previous](#) [Show all](#) [Next](#) [Latest](#)

 Office for National Statistics

[Home](#) [Browse by theme](#) [Publications](#) [Data](#) [Release calendar](#) [Guidance and methodology](#) [Media centre](#) [About ONS](#)

You are here: [Home](#) > [Browse By Theme](#) > [Population](#) > [UK population estimates 2013](#)

UK population estimates 2013

Part of Population Estimates for UK, England and Wales, Scotland and Northern Ireland, Mid-2013 - SUPERSEDED Release
Released: 26 June 2014

The UK population estimates for 2013 show that the population of the UK grew to 64.1 million in mid-2013

UK Children in care statistics:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244872/SFR36_2013.pdf

CHILDREN LOOKED AFTER AT 31 MARCH 2013

There were 68,110 looked after children as of 31 March 2013, an increase of 2 per cent compared to 31 March 2012 and an increase of 12 per cent compared to 31 March 2009. The number of looked after children has increased steadily each year and is now higher than at any point since 1985.

The UK refer to Children looked after rather than children in Out of Home Care (OOHC) and include children who remain with their parents 3,260 and those adopted 3350, those still cared for that have left care and those in juvenile justice centers. So there comparative figure with Australia is actually far less.

PLACEMENT OF LOOKED AFTER CHILDREN

Of children looked after at 31 March 2013, 50,900 were cared for in a foster placement. The number of children placed in foster care has increased by 16 per cent since 2009, a higher rise than the rise in overall numbers of looked after children. This is reflected in the percentage of children looked after who are placed in foster care, this has increased each year since 2009. The percentage of looked after children cared for in foster placements was 72 per cent in 2009, in 2013 it has increased to 75 per cent.

There were 6,000 looked after children cared for in secure units, children's homes and hostels, 9 per cent of all children looked after – a decrease from 10 per cent in 2009. Despite the rise in the number of children looked after, the number of looked after children placed in secure units, children's homes and hostels has decreased by 2 per cent since 2009 showing that this type of placement is less likely to be used for a looked after child in 2013.

There were 3,260 children looked after placed with their parents, this represents 5 per cent of children looked after - a decrease from 7 per cent in 2009. The number of looked after children placed with their parents has decreased by 22 per cent since 2009.

There were 3,350 looked after children placed for adoption at 31 March 2013. This is an increase of 16 per cent from 2012 and an increase of 25 per cent from 2009. Figure 3 shows the trends in placements from 2009 to 2013.

Spain Population statistics: http://www.ine.es/en/prensa/np854_en.pdf



Evolution of the population resident in Spain in 2013

	Population at 1 January		Annual growth	
	2014	2013	Absolute	Relative (%)
Total	46,507,760	46,727,890	-220,130	-0.47

Spain children in care statistics:

<http://www.redalyc.org/pdf/1798/179829308008.pdf>

Tabla 1

Children in out-of-home care (OOHC) in Spain

	2000	2011
OOHC: Residential versus foster care		
Residential care	15,207	14,059
Foster care	19,426	21,446
Total OOHC	34,633	35,505

Norway Population: <https://www.ssb.no/en/befolkning/artikler-og-publikasjoner/this-is-norway-2014>

Population 1 January		
	Population	Annual growth. Per cent
1950	3 250 000	
1960	3 568 000	0.94
1970	3 863 000	0.80
1980	4 079 000	0.55
1990	4 233 000	0.37
2000	4 478 000	0.56
2010	4 858 000	0.82
2014	5 109 000	1.29

Norway children in care statistics: https://www.ssb.no/en/sosiale-forhold-og-kriminalitet/statistikker/bave_statres

Published: 12 September 2013

More children in national foster homes

From 2011 to 2012, the number of children in national foster homes increased by almost 13 per cent. During this period, the total number of children in the National Child Welfare Services increased by 6 per cent, reaching a total of 6 200 children at the end of 2012.

National child welfare - StatRes. Input, activities and services, unit costs			
	2010	2011	2012
Input			
Own production (NOK million)	3 552.1	3 640.9	3 755.8
Contracted man-year adjusted for long terms leaves	4 375	4 609	4 368
Activities and services			
Children who receive assistance from the Child Welfare Service per 31.12	5 676	5 804	6 162
Children who receive assistance from the Child Welfare Service (per 1 000 inhab	4.6	4.6	4.9
Children in children's institutions per 31.12	1 285	1 196	1 231
Children in national supported foster homes per 31.12	3 332	3 637	4 096
Number of children who receive assistance while living at home per 31.12	1 059	971	835

The increase in the number of children in out of home care in Norway is due to the increasing number of unaccompanied minors and refugees migrating to the country in need of care and protection: <https://www.udi.no/en/statistics-and-analysis/european-migration-network---norway/emn-studies-and-reports/studies/unaccompanied-minors-in-norway-policies-practices-and-data-in-2014-2014/>

Applications for asylum by (claimed) UAMs, 2009 - 2013.

Year	2009	2010	2011	2012	2013
Applications submitted by UAMs	2,500	892	858	964	1070

Sweden population statistics: <http://www.scb.se/en/>

9,644,864

Sweden's population on the last day of 2013 was **9,644,864** - a 0.93 percent hike from 2012. The total increase was the largest since 1946, and statisticians at Statistics Sweden (Statistiska centralbyrån - SCB) marked it down to a record-high level of immigration. Feb 19, 2014

Sweden children in care statistics:

https://books.google.com.au/books?id=I_jmDAAAQBAJ&pg=PA76&lpg=PA76&dq=how+many+children+in+sweden+are+in+foster+and+residential+care+in+2014?&source=bl&ots=rL_xKqxs-&sig=tmq4TYuQVrUFYeqz2aJWJhbRWyE&hl=en&sa=X&ved=0ahUKEwjCt5Hmjt_PAhWIKGMKHTvOBFAQ6AEISjAI#v=onepage&q=how%20many%20children%20in%20sweden%20are%20in%20foster%20and%20residential%20care%20in%202014%3F&f=false

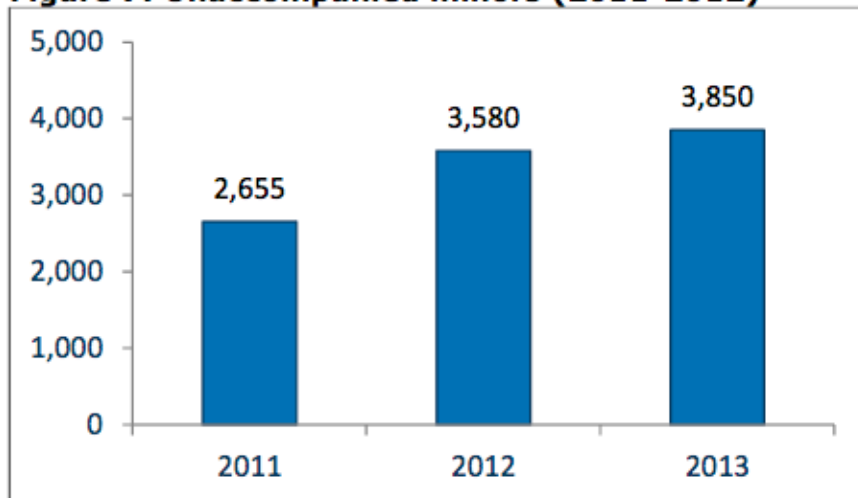
Sweden

Table 4.3. Age of children in care at the end of the year 2013. Numbers, presented with age and sex of children

Age Placed in Care	0–3	4–6	7–9	10–12	13–14	15–17
Boys	622	725	918	1,111	1,240	5,405
Girls	632	668	755	957	950	2,620
Total	1,254	1,393	1,673	2,068	2,190	8,025

The increase in the number of children in out of home care in Sweden is due to the increasing large number of unaccompanied minors and refugees migrating to the country in need of care and protection: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/country-factsheets/27.sweden_emn_country_factsheet_2013.pdf

Figure 7: Unaccompanied minors (2011-2012)



Italy Population Statistics: <https://www.statista.com/statistics/263745/total-population-of-italy/>

around 60.78 million

Italy: Total population from 2010 to 2020 (in millions)
This statistic shows the total population of Italy from 2010 to 2015, with projections up until 2020. In 2014, the total population of Italy was **around 60.78 million people**.

Total population of Italy 2020 - Statista

www.statista.com/statistics/263745/total-population-of-italy/

Children in Out of Home Care in Italy:
<http://www.redalyc.org/pdf/1798/179829308008.pdf>

Table 3
Children in out-of-home care (OOHC) in Italy

	1998-1999	2010
OOHC Residential versus family foster care		
Residential care	14.495 ¹	14.781
Foster family care	10.200 ²	14.528
Total OOHC	24.695	29.309

Inquiry Into Child Protection
LEGISLATIVE COUNCIL
GENERAL PURPOSE STANDING COMMITTEE NO. 2

**Alliance
for Family Preservation**



and Restoration

In response to a Question on notice by the Hon Trevor Khan about providing evidence of cases reported to us of parents arriving for a Final Orders Hearing in Care court only to have the Magistrate cancel the Hearing and make orders by consent in favour of FACS when the parents do not consent.

We have investigated the reports and so far the common factor is that the parents are self represented. The actual final orders, which we have sighted, do not even state the orders were made by consent. So the evidence at this stage is only anecdotal. However the reports are from unrelated parties and are relatively recent in the past few months. The one way to provide evidence is to have the parents order a Transcript but that costs money they don't have and takes a long time and our past experience with transcripts are they are rarely accurate in Care Court cases. We will continue to monitor and investigate any further similar complaints.

In response to a question on Notice by the Chair in relation to children when no harm has even occurred for possible risk of future harm. Many of the newborn removal cases provided evidence this for a start as no harm has been done to the baby before forced removal. I present below the page I was reading from which was my notes for giving evidence that day that included a summary of statements made by judges I noted down while reading appeal cases in NSW Care and protection matters:

Background:

Forgotten Australian

Nursing

Community Visitor

Working with families that are being denied legal aid because of NO Merit and we have proven that the cases do have merit and had children restored.

We agree with His Honour Tim Carmody who reiterated a few days ago inline with evidenced best practice that supported family preservation is the best baseline for child protection.

Rather than the current risk adverse culture that has dominated this century resulting in the forced removal of children in high numbers who never should have been placed in OOHC.

But words are not enough and that is why our submission has focused on vital independent accountability and oversight measures and legislative changes that are needed to stop the ongoing failures of the child protection system.

The legislation is purposefully broad and allows for children to be taken for the term of their childhood where there is a perceived risk of harm despite a parent's conscientious efforts or through no neglect or action on the part of the parent and includes circumstances where no harm has even occurred. From Judgements made in appeal cases in Care and Protection matters.

The law itself states at Section 23:

http://www.austlii.edu.au/au/legis/nsw/consol_act/caypapa1998442/s23.html

That a child just has to be deemed at risk which, is done by unregistered child protection workers based on reports that are often not even investigated nor true, that are malicious and vexatious at times, when no harm has ever happened to a child as no evidence is required in the secret care courts.

We work primarily with families where their children have not been harmed but still forcibly removed because this legislation is purposely broad and sadly allows for abuse of power by unregistered workers who have no accountability, resulting in the forced removal of children who never should have been taken, that are then abused in care, tearing their families apart and destroying lives forever. We are witnesses to a new generation of stolen and forgotten Australians and forced adoptions from loving families everyday and it has to stop and you have the power to make that happen.

All Care Plans and requests for 18 year orders in NSW state:

Community Services request parental responsibility to the Minister which will provide a safe, nurturing stable environment and meet the needs of the child when we know that is not guaranteed because of the significant amount of abuse neglect and deaths of children in care that are kept from the general public. --- and at this stage in proceedings a long term placement has not even been found for the child. Yet the care court accepts that statement without question.

2 Submissions that must be read by all:

Submission 56 by Dr Helen Hayward Brown

Submission 103 George Potkonyak

Also the submission by NSW Solicitor George Potkonyak No 27 to the Federal Senate Inquiry into OOHC last year is a vital read:

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Out_of_home_care/Submissions I will also attach his submission.

This is one of the very few hard working solicitors that does legal aid and pro bono work to help fight for families who have been unjustly treated by FACS NSW and the Care Courts and clearly describes the injustices in the current system that allows children to be taken into care needlessly till they are 18 and just how near impossible it is to ever get your children back even when parents are innocent. Sadly the few solicitors like him are targeted because too many people make too much money from the child protection industry and use their power to protect their incomes.

Other Information for consideration by the committee during the Inquiry

Mandatory Registration for all child protection workers:

Although we touched on this matter in our initial submission I feel it is important to emphasise how vital this is to frontline accountability as there is currently no independent accountability available to vulnerable children and parents when workers abuse their power.

As a Registered Critical Care Nurse of over 30 years I helped to convince the Federal Senate inquiry into out of home care how vital this was and they made it a recommendation in August 2015 in their report. Sadly that recommendation and others important ones were sent to COAG and have yet to be even considered. As The Prime Minister has stated Child Protection will be on the Agenda for the next COAG meeting in December the Alliance will be contacting all State and Territory Leaders as well as all Federal Politicians to try to bring their attention to this area of failure in Australian Child protection nation wide.

Governing bodies are there to protect the vulnerable public from abuse, exploitation and crimes committed against them. That is why Nurses are continually rated as the most trusted profession. That NSW could have a system that relies on unregistered case workers with more power then any other REGISTERED profession, yet less qualified then most other professions is criminal and the reason for decades of failure and abuse in the child protection Industry.

If I treated my patients, their families and significant others the way I have witnessed some child protection workers treat vulnerable children and families I would be disciplined, lose my registration to practice and therefor my career and end up fined and in jail. Independent accountability does not exist in the secret child protection industry and is the cause of so much failure. Australia unlike so many other countries has failed to mandate registration for child protection workers and that is one reason our forced removal rates are so shamefully high. It is a national disgrace and I implore you all to have the courage to implement frontline independent accountability to ensure minimum standards of education and training and professional conduct by implementing Mandatory registration for child protection workers. It is not an expensive measure, as the registration fees of workers finance the independent Governing body over time but crucial to the lives of vulnerable children and families so they have somewhere independent and objective to go with their evidenced complaints of abuse by child protection workers.

The president of the Children's Court gave evidence that clearly indicates they are not objective and believe and trust FACS workers and want they have to say

about parents – we do not because of the thousands of FACS worker affidavits we have read and audited for legislative compliance and I am yet to read an Affidavit by FACS that does not contain defamation of parents, false allegations and out right lies proven by evidence in the cases we have worked on.

The President of the children's court also stated words to the effect that parents are well defended by good Legal Aid solicitors, in our experience we are aware of only a handful of Legal Aid solicitors that actually try to defend parents most just consent to what FACS want with or without the consent of the parents and often against their instructions. They do not spend enough time on the case, do not read subpoenaed evidence and other documents and do not defend their clients. There is nothing just or fair in anyway in the Secret Care courts where no rules of evidence apply, and I urge all of you to go out to Parramatta Care Court especially on a Tuesday when the new cases of removal list is heard and witness for yourself the travesty and inhumanity that unfolds with the rights of children and families decimated as the care court rubber stamps what ever FACS ask for.

The secret care courts need to be abolished and replaced with a Family Tribunal of professionals and the 30% of funding wasted on adversarial litigation could then be better spent on evidenced best practice methods of family preservation and restoration measures ensuring better outcomes for children and families for generations to come that would ultimately save billions of dollars and be in the best interest of children, family and society.

Mandatory Reporting:

Mandatory reporting is actually killing children, because it is like trying to find a needle in a hay stack when looking for the actual children that really need immediate life threatening intervention. Less than 30% of children reported to be at risk in NSW are even checked. In QLD following the Carmody Inquiry recommendations for Mandatory reporting has been modified so that mandated reporters can refer vulnerable children and families to support services rather than make a report to child safety unless the case is a real serious risk of immediate harm to a child. In this way Mandatory reporters take Mandatory Action so that children and families can get immediate support and only the severe cases are reported to child safety. NSW need to urgently consider this far better way to manage children at risk to save their lives.

I thank the Committee for your time and hope that this inquiry will actually amount to actions that will make a real improved difference to the lives of vulnerable children and families and implore all of you and your Parliamentary colleagues to have the courage to act as so many inquiries before have continued to fail to act continuing the systemic abuse of our vulnerable children the states most valuable assets.