

Submission
No 112

**INQUIRY INTO SERVICES PROVIDED OR FUNDED BY
THE DEPARTMENT OF AGEING, DISABILITY AND
HOME CARE**

Name: Mr Michael Hart

Date received: 01/10/2010

Dear Sir/Madam,

I have just come across the following inquiry

<http://www.parliament.nsw.gov.au/Prod/parlment/committee.nsf/0/012F70C073C28F78CA25774D0011708A>

I realize it is late but would like to make a submission.

In the attached document I have listed relevant human rights instruments and NSW legislation and the code of conduct for departments along with the events that happened to our family/children.

I would like to highlight the fact that behaviour supports were requested by me through an alternative grievance mechanism (the NSW Department of Community Services). This Department appears to have colluded with the NSW Department of Ageing, Disability and Home Care to fabricate the level of support provided to our children.

They further vilified me, claiming there was an issue with me because I requested assistance with a type of behaviour therapy that I had been doing for 20 months.

The documents shown, that I have since obtained under FOI and other means, clearly indicate that all the services that the NSW Department of Community Services reported were in place were fabricated. Indeed they had the document to know this within 2 months, even before I went to my local Member for assistance. The documents regarding this are in the overview - a full copy can be provided if required.

Despite DoCS having documents as far back as November 2008 indicating these claims of services were fabricated I have recently (a month ago) received a letter from the Chief Executive of that Department claiming that, according to an internal review, these services were in place. Further, despite the DoCS reports being critical of me wanting appropriate disability assistance she claims this means DoCS staff "reinforced your need for assistance".

Further to this she did not even examine the fabrication of evidence during the Joint Police operation claiming that services were available but not being accessed

Finally the NSW Ombudsman's office indicated the laws regarding honesty do not apply to DADHC / DoCS or the Police.

Given the complete failures of complaints mechanisms I would strongly argue that any review look into how complaints are brushed aside and how complaints public servants are allowed to LIE even up to the agency Chief Executive level.

There absolutely needs to be some substantial repercussions for staff of NSW government agencies that LIE during investigations just as there is for the public.

Where they can government agencies blame parents for children with disabilities yet where they come to harm from Government Agencies they suddenly cannot find the cause or not investigate it ???

At the moment any agency to do with children is effectively allowed to lie because public scrutiny (via the media) has a blanket ban so agencies can cover themselves right up to the Chief Executive level and the government fails to correct it because the public is blissfully unaware of the corruption simply because of the media ban and the oversight agencies refuse to investigate it.

To us using this system it is like living in North Korea.

In any democracy the media should be allowed to freely criticize government agencies, using examples where required, unless there is a fear this may harm the child. For there to be a media ban in the case where government agencies wish to hide their complicit nature in the child coming to harm is ridiculous.

This leads to a public view that is inconsistent with reality for these children, and hence policies that do not address their real needs.

While your government continues to allow people to lie to cover their butts, even at the Chief Executive level, social issues cannot be resolved and the Legislative Council Standing Committee on "Social Issues" will achieve nothing.

sincerely

Michael Hart