

WHEN NO ONE LISTENS....

My experiences have taught me a lot about the child protection system.

First, children are falling in a gap between State funded child protection services and the federally funded Family Court. This problem has long been recognised but it's yet to be addressed State Child Protection authorities are not investigating reports when cases are in the Family Court and I wonder how long it will be before a child is killed by a violent parent because our statutory child protection service turned its back. Insufficient funding and impossible case-loads probably account for the inappropriate delays in the Family Court and C.P.authorities unwillingness to thoroughly investigate cases where children are abused by a parent after separation.

Second, children's separate legal representatives advise Judges on the child's best interests despite the absence of qualifications and expertise in child development. In my case, the Judge accepted that advice although it was contrary to the recommendations of a child psychologist.

The Family Court relies on C.P.authorities to assess allegations of child abuse and neglect although the judiciary should have realised by now that C.P.authorities avoid doing this when cases are in their domain.

Another concern is the lack of sufficient time to properly canvas Form 8 applications. The average hearing lasts half an hour and in most cases, no direct evidence is heard. In other words, there is no opportunity for cross-examination. The highly emotive nature of these proceedings puts the Presiding Judicial officer in a difficult position of locating where the truth lies when no direct evidence is called.

Yet another concern is the comparative ease with which child abusers can use the Child Protection Legislation to benefit their own cause.

Finally, where C.P.authorities conduct an investigation and makes an incorrect finding for whatever reason, there is no recourse before the Family Court. For 18 months, a baby ..now toddler.. was abused and neglected in the care of a father whose rights have consistently been supported by the Department responsible for her care and protection. .. despite his long history of drug addiction, mental instability and overdosing while responsible for her care.

What I ask myself is this. If someone in my position ... cannot protect my child what hope is there for others? If it were not for my parents' generosity I could not have continued this fight. To date, my legal expenses have exceeded \$150 000 and my daughter's safety is still far from assured.

The world knows that head injuries and trauma can cause brain damage in the first three years of life. American and Australian experts have been saying this at Australian child protection conferences for the last six years.

So why are C.P. authorities and the Family Court allowing the bashing to continue?

Can anyone give me the answer?