

Resource Kit for Relative Carers

information for families with
full-time care of a relative's child



Springwood Neighbourhood Centre

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Information for families with full-time care of a relative's child.

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Disclaimer

This kit is for general information purposes only. The information contained is not to be used as a substitute for specific, professional advice. Springwood Neighbourhood Centre disclaims all liability for any errors or omissions of any kind. Some information is relevant only for NSW residents. The information within this publication is accurate as at June 2008.

foreword

Relative care is the care of children and young people by an extended family member. Relative carers have full-time care of their grandchild, niece, nephew, cousin or other relative. This may be a formal arrangement initiated by the Department of Community Services or an informal arrangement between family members. Relative/kinship care differs from foster care in that foster care is provided by non-relatives. Relative care is now more common in NSW than non-relative care yet it remains largely unacknowledged.

The Kinship Care Regional Project was developed in response to the increasing demand for support services and access to information from relative carers in the Blue Mountains, Penrith and Hawkesbury areas. It was funded for three years by Western Sydney Area Assistance Scheme.

It was soon identified that carers frequently experience complex challenges in their caring role. This kit addresses the most commonly asked questions by relative carers at support groups and during requests for assistance over the phone.

This kit provides information, contact numbers and websites for support services, and a collection of stories from relative carers. Additional information is often provided by links to websites. Whenever possible a phone number has been provided for those families without internet access. Alternatively your local library or neighbourhood centre may have computers that you can use.

I would like to acknowledge the Board and staff at Springwood Neighbourhood Centre Co-op particularly Toni for her encouragement and patience, Western Sydney Area Assistance Scheme, local MP's Phil Koperberg and Bob Debus, past and present project workers from the Kinship Care Regional Project, Regional Committee members and local support agencies who have contributed to this resource. I would like to give particular recognition to the relative carers and their children involved

in the project who have contributed to support groups, outings, program planning and activities.

I would also like to recognise the Kinship Care Regional Project's KAOS team Jenny, Lisa and Cath. Together we are committed to providing teenagers living in relative care with opportunities to participate in recreational activities in a supportive environment bringing them together with peers. The KAOS participants have demonstrated resilience, energy and enthusiasm which has been inspirational to us. It is a joy to watch personalities unfold with confidence and strength.

Kinship Care Regional Project aims to advocate for relative carers and ensure they are provided with support and have access to information. We support early intervention strategies that work towards preventing disadvantage and oppression that many families have witnessed in the form of domestic violence, mental illness and drug and alcohol abuse which has led to the most vulnerable family members suffering from neglect and abuse.

Kinship Care Regional Project will continue to advocate for enhanced services and fair policies at a State and Federal level. If our goal is achieved elements of this kit will become irrelevant and new policies will be implemented. This will provide equity between foster carers and relative carers. It will also recognise aunts and uncles as relative carers providing them with the same entitlements as grandparents.

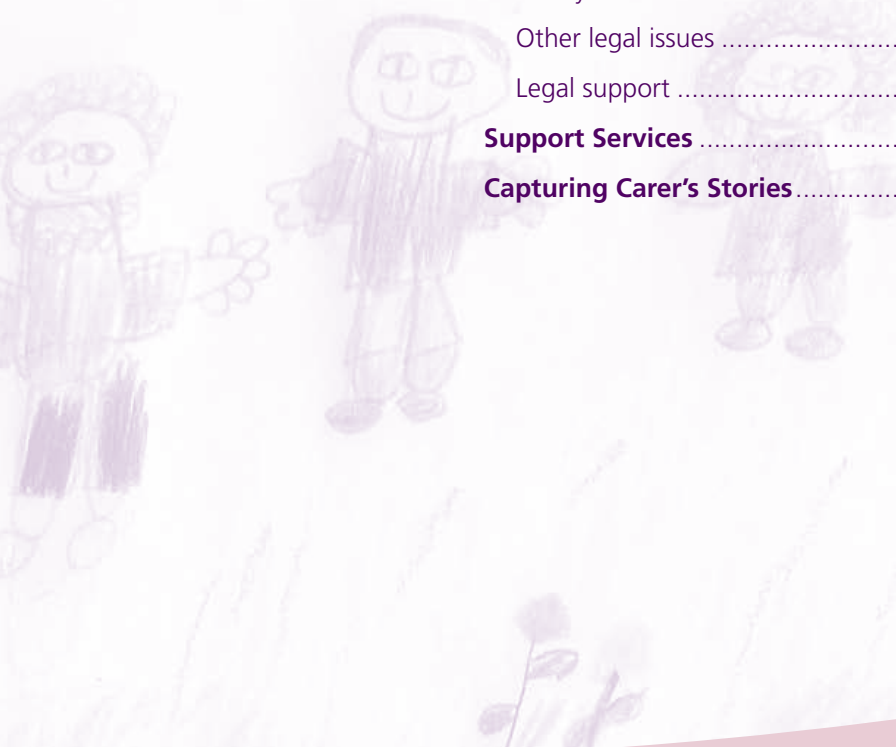
The Kinship Care Regional Project is currently seeking alternative sources of financial support to continue this vital project. Otherwise the Kinship Care Regional Project and KAOS will end in September 2008.

To relative carers, I wish you and your family health, happiness and wellbeing in your journey and hope that this kit provides you with helpful information. Be assured that you are not alone and that the dedication and devotion you demonstrate with the children in your care is recognised, appreciated and honoured.

Jane Ley
Senior Project Worker
Kinship Care Regional Project
Springwood Neighbourhood Centre

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Three simple, hand-drawn figures are shown holding hands in a line. The figure on the left has curly hair and is wearing a dark dress. The middle figure has a round head and is wearing a dark, long-sleeved shirt and pants. The figure on the right has curly hair and is wearing a dark dress. The drawing is done in a simple, sketchy style with dark lines on a light background.

Produced in collaboration with:

Centrelink

Department of Community Services

Benetatos White Solicitors

Megan Wynne-Jones

financial assistance



The aim of this section is to inform relative carers of the financial allowances that they may be entitled to.

Please remember that most of these benefits are determined by an assessment of individual circumstances.

This section was developed in partnership with representatives from Centrelink, Medicare and Department of Community Services.

Department of Community Services

The NSW Department of Community Services (DoCS) is the leading NSW Government agency responsible for community services.

They work to promote the safety and wellbeing of children and young people and to build stronger families and communities. In particular, they help those who are vulnerable and most in need. DoCS provide services across three key program areas which are prevention and early intervention, child protection and out-of-home care.

If you have access to the internet, visit the DoCS website and follow the links to 'Fostering Our Future' in the 'What's New' box, to access a newsletter for foster carers. The DoCS website and phone numbers are provided in 'support services'

To report suspected child abuse or neglect, call the DoCS Helpline on 132 111 (24 hours/7 days)

**To report
suspected
child abuse or
neglect, call
the DoCS
Helpline on
132 111
(24 hours/
7 days)**

SUPPORT FOR RELATIVE CARERS

The Department of Community Services (DoCS) provide financial support for children and young people who are unable to live with their parents. Allowances will not cover all the expenses of raising a child. They provide recognition of the costs of caring for children and ensure carers are not unduly burdened and children living in out-of-home care are not disadvantaged.

In NSW there are two types of allowances for children living in relative care called Statutory Care Allowance and Supported Care Allowance. These are fortnightly payments made to a carer as a contribution towards the expense of caring for a child.



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For more information about Children's Court orders see 'legal information'

Statutory Care Allowance

This is an automatic payment payable to meet the needs of those children where parental responsibility (PR) is with the Minister or Director General (DG) via a Children's Court order. This is paid until the order expires or the young person's 18th birthday. The Statutory Care Allowance is not means tested.

For more information about Children's Court orders see 'legal information'.

All payments in addition to this allowance must be discussed at a case conference and included in the child's case plan.

Establishment costs

Recipients of the Statutory Care Allowance are eligible for establishment costs if this payment has not already been paid for the child in a previous living arrangement. This is a one-off payment for a long term placement and is currently \$1400 per child which is to be spent on items such as a bed, bedroom furniture or linen that can go with the child if they leave the placement. Other payments that may be applicable are called contingencies.

Contingencies

Contingency payments are only provided where the need for additional financial supports have been identified and agreed to by the Department and they have been included in the child's case plan.

Case plans

A case plan is developed from a case conference between the Department and your family. Case plans may include but are not limited to support relating to the purchase of specialist health services and child care. Eligibility is determined in accordance with the Department's Financial Guidelines.

Supported Care Allowance

This may be payable when children live with you through an informal family arrangement when there is no Children's Court order. It is also available to families who have orders



under the Family Law Act. This is not an automatic payment. Prior to receiving this payment DoCS will conduct a Supported Care Assessment. During this assessment the Department will determine if the placement is in the best interests of the child. The Supported Care Allowance is not means tested however your income may affect your eligibility. This is because it must be demonstrated that the Allowance is necessary to maintain the placement therefore preventing the child from entering the care of the Department.

Carers must be aware that these assessments are only available when offices have the resources to undertake them. This means that the Supported Care Allowance may not be readily available for some carers.

When a relative has been granted sole parental responsibility through the Children's Court a previous assessment would have determined them to be an Authorised Relative Carer and the Supported Care Allowance is automatically paid.

For more information about parental responsibility see 'legal information'.

Supported Care Assessment

To apply for the Supported Care Allowance and initiate a Supported Care Assessment you must register through the DoCS Helpline on 132111.

- When prompted, press # 1 on your phone to go straight to a caseworker.
- Say that this is a 'request for assistance' (as opposed to a child protection report).

The Helpline will then forward your details to your local DoCS office that will prioritise the work in line with Departmental policies and with available staff. If an assessment is to take place it will include:

- a home visit to talk with all adults in the home and the children who have entered your care,
- a 'Working with Children' check for all people over 16 years of age who reside in the home,

For more information about parental responsibility see 'legal information'



- a NSW criminal record check,
- a prior DoCS history check,
- an income assessment, and
- in some circumstances a medical assessment.

Allowances are not considered taxable income and are indexed each year in July in line with the Consumer Price Index (CPI). Visit the DoCS website for current Allowance rates.

Visit the
DoCS
website
for current
Allowance
rates

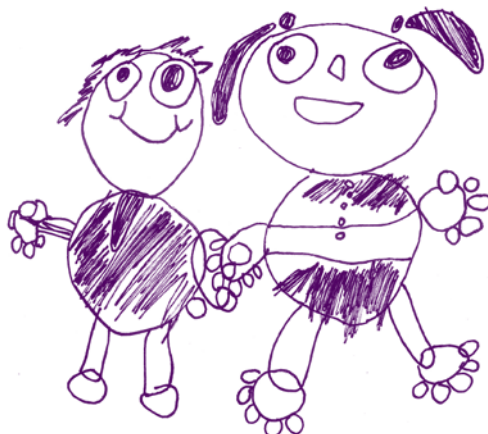
Current rates for Statutory and Supported Care Allowances as from July 2008	
0 - 4 years	\$395.00 per fortnight
5 - 13 years	\$443.00 per fortnight
14 - 17 years	\$595.00 per fortnight

Care +1 & +2 Allowances

Additional financial support may be payable when a child requires supervision and care in excess of that expected of carers generally. These allowances are known as Care +1 and Care +2. These payments are often difficult to obtain. The Centrelink Carer Allowance may be more accessible.

For more information about the Centrelink Carer Allowance see 'Centrelink'.

Poppy and me
holding hands



Centrelink

This section includes information about assistance relative carers may be eligible to recover from Centrelink and the Family Assistance Office. The Family Assistance Office is part of Centrelink that specialises in family payments.

Family Assistance Offices are located in Medicare Offices, Centrelink Customer Services Centres and Australian Taxation Offices.

You can apply online at www.familyassist.gov.au or phone 136150. For further information visit your local Family Assistance Office.

For all enquiries regarding your Centrelink entitlements call the Centrelink Family Call Centre - 136 150 or Centrelink Multilingual Service on 131 202.

If you have access to the internet you can visit the Centrelink website at www.centrelink.gov.au

Centrelink staff are able to provide information and send you the relevant forms for various benefits. After completing the forms you will be required to take them into your local office. Sometimes you will be required to take in some other documents. If your matter is quite complicated and you require further assistance, a worker may suggest that you see a Centrelink social worker.

Below are some of the Centrelink benefits that may apply to you as a relative carer. Please note that all benefits are determined following an assessment of individual circumstances. Centrelink forms are very detailed and usually quite long. They require a lot of information. Please seek assistance at a Centrelink office if you have difficulty completing them. It will be worth the hard work to receive the payments you are entitled to.

For all enquiries regarding your Centrelink entitlements call the Centrelink Family Call Centre
136 150

or

Centrelink Multilingual Service on
131 202

INCOME SUPPORT PAYMENTS

Parenting Payment

- Parenting Payment is an income support payment that you may receive if you are caring for a dependent child under six years of age and are partnered. Parenting Payment can also be paid if you are single and care for a dependent child under eight years of age.
- To establish eligibility Parenting Payments are asset and income tested.

Carer Payment

- This is an income support payment that you may receive if you are caring for a child with a disability with extremely high care needs. You will not receive this as well as the Parenting Payment.

Newstart Allowance

This allowance is paid to single parents whose youngest dependent child in their care is over eight years of age or if you are partnered and your youngest child is aged six or over.

Age Pension

Age Pension is for males aged over 65 years of age. Women qualify for Aged Pension depending on their age and date of birth. By 2014 the minimum qualifying age for women will be 65 years making it the same as men. Currently payment is based on the table below.

Women's Date of Birth	Qualification age for Age Pension
Before 30 June 1944	63 years
1 July 1944 to 31 December 1945	63.5 years
1 July 1946 to 30 June 1947	64 years
1 July 1947 to 31 December 1948	64.5 years
1 January 1949 and later	65 years



OTHER PAYMENTS & ENTITLEMENTS

Family Tax Benefit (FTB)

- Family Tax Benefit Part A helps with the cost of raising children. Payment is assessed on the family's combined income and is paid per child.
- Family Tax Benefit B is extra assistance for families with one main income. This can include single parent families.
- To apply for this you will need to contact Centrelink for the relevant form.
- When you return the form to Centrelink, Centrelink needs to contact the parent who is currently receiving the Family Tax Benefit to establish that there has been a change of care.
- Formal documentation regarding the placement of the child in your care is not necessarily required to request this payment however if it is available it will assist with the process.
- If the payment has previously been paid to another person (eg. the child's birth parent) the child's birth certificate would have previously been registered with Centrelink and you would therefore not be required to obtain it.
- You can also apply for child support payments from the birth parent of the child in your care by contacting the Child Support Agency – 131272. This is voluntary for relative carers. Any child support payments you receive are considered taxable income. See 'Child Support Scheme' for further information.
- The process of applying for Family Tax Benefit can take approximately six weeks if there has been another person previously receiving Family Tax Benefit for the children. However if you are eligible, payments can be backdated to the date of your claim.

Child Care Benefit (CCB)

- Grandparents who are the primary carers of their grandchildren and who are receiving an income support payment from Centrelink (or Department of Veteran Affairs)



are eligible for a special rate of Child Care Benefit called Grandparent Child Care Benefit. This covers the full cost of approved care for up to 50 hours per week per child.

- It will be easier to apply for the Child Care Benefit if you are already receiving Family Tax Benefit. This is because Centrelink has already established that the child is in your care.
- As above, you will be required to contact Centrelink and ask for the appropriate form. If you are already receiving Family Tax Benefit you can be approved for Child Care Benefit over the phone (call 136150).
- Grandparents are exempt from the work/training/study test which determines the level of assistance people are eligible for.
- Most grandparents apply for Child Care Benefit through approved child care. This is when your child care fees are reduced each week.
- **Approved child care** – most long day care, family day care, before and after school care, vacation care, some in-home care and occasional care services offer approved care.
- **Registered care** – is care provided by nannies, grandparents, relatives or friends and, in some circumstances, private pre-schools, kindergartens, occasional care centres and outside school hours care centres that are registered with the Family Assistance Office. If you are eligible to receive CCB by using registered child care you can claim some of your childcare costs after showing your receipt at a Family Assistance Office.
- Relative carers who are not grandparents and are not eligible for Child Care Benefit or Grandparent CCB can apply for Special Child Care Benefit. Special Child Care Benefit is time limited and is available only in specific circumstances. You are required to complete a form called 'Application for Special Child Care Benefit' and lodge it with the approved child care centre. Discuss this with a worker from your child care centre for further information.



Health Care Card (HCC)

Holders of a Health Care Card may be entitled to a range of concessions from the Australian Government, State and Territory Governments and some private organisations. These include bulk billed GP appointments and pharmaceutical concessions.

If you are already receiving an income support payment such as Age Pension or Parenting Payment, you will already have a Pensioner Concession Card (PCC) or Health Care Card. If you are also eligible for Family Tax Benefit for a child in your care the child can be added to your Pensioner Concession Card or Health Care Card.

If you are not receiving a pension or benefit but are receiving a Family Tax Benefit Part A fortnightly at the maximum rate you will be issued a Health Care Card which will include children in your care.

If you are not automatically entitled to a Health Care Card you may be entitled to a Low Income Health Care Card. There is no assets test for this assessment instead it is based on your weekly income. This information is available on the Centrelink website.

Foster Child Health Care Cards

A Foster Child Health Care Card is available to relative carers caring for children through either an informal care arrangement or formal care arrangement. There is no income test limited to this card and it is issued in the name of the child.

When you are applying for a Health Care Card you are required to take a letter from the agency involved (eg. DoCS) outlining the placement details, a copy of the child's birth certificate, a copy of the current court order and your own proof of identity. When you are caring for a relative's child through an informal arrangement this letter can be obtained by someone involved with your family such as a school Principal, General Practitioner or Social Worker.



Carer Allowance

This may be payable by Centrelink if you are caring for a child with a disability. There is no income or assets test associated with Carer Allowance.

This is separate to the Carer Payment and Parenting Payment and is also separate to the DoCS' +1 & +2 Allowances.

To apply for this Allowance your GP is required to fill out part of the form indicating your child's level of disability.

Rent Assistance

Rent Assistance can be paid to Centrelink customers who are paying private rental (not available if you are paying a mortgage or if you live in Department of Housing accommodation). If you are eligible it will be paid with your Family Tax Benefit.

Double Orphan Pension

You may get Double Orphan Pension for a child if both parents have died, or one parent has died and the whereabouts of the other parent is unknown or they are in long term imprisonment. See the Centrelink website for additional criteria for Double Orphan Allowance. This is not an income support payment but is an additional payment of approximately \$50 per fortnight. This payment is not subject to an income or assets test.

Maternity Immunisation Allowance

Relative carers can apply for the Maternity Immunisation Allowance that is available for fully immunised children aged 18-24 months. There are some exemptions from having to immunise your children for the purposes of getting Maternity Immunisation Allowance. Claims must be lodged on or before the child's second birthday. For more information contact the Family Assistance Office.

Baby Bonus

The Baby Bonus is a lump sum payment from the Australian Government to help families with the costs associated with



having a new baby. The Baby Bonus may be payable to a carer if the child comes into your care within 13 weeks of birth and will remain in your care for at least 13 weeks. Claims must be made within 26 weeks of the baby's birth.

If an eligible parent dies before they have been paid Baby Bonus another appropriate person may claim Baby Bonus for the child within 26 weeks of the eligible parent's death. Customers do not need to claim Family Tax Benefit to receive Baby Bonus.

Generally Baby Bonus is only paid to one person. However if a change of care occurs prior to the Baby Bonus being paid it is possible that the Baby Bonus be apportioned between two people.

Welfare to Work

Principal carers are subject to Centrelink's part-time activity tests and participation requirements once their youngest child turns six years of age. Temporary exemptions from these requirements may be granted due to special family circumstances.

The principal carer is whoever provides the greater degree of care for the child.

Remember that all cases are determined on an individual basis depending on your family's needs and assets.

Medicare

ACCESS TO MEDICARE BENEFITS

As a relative carer you are able to claim Medicare benefits for medical expenses you incur on behalf of the child you are caring for. The child does need to be enrolled with Medicare and registered on a Medicare card however you do not need to have their Medicare card with you to claim the benefit. The doctor may ring Medicare Australia's enquiry number 132 150 for the child's Medicare card number and use this on a bulk

**For more
information call
Medicare on
132 011
or visit a
Medicare office**



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bill claim. If the doctor issues an account the Medicare office will assist you to claim the rebate.

If you would like the child's name added to your Medicare card it will be necessary to provide documentation to Medicare that supports your request. A child cannot be removed from a parent's Medicare card without the authority of the parent. However where the child is in the primary care of a person other than a parent they may be enrolled on that person's card. The child can have a card of their own when they have reached the age of 15 years.

For more information call Medicare on 132 011 or visit a Medicare office.

For more
information
visit the
**Child Support
Agency at
www.csa.gov.au
or phone
131272**

Child Support Scheme

From 1 July 2008 there will be changes to the way relative carers are assessed for child support. For further information see the Child Support website and follow the links to the document explaining these changes called 'The new Child Support Scheme and changes to Family Assistance'. One section explains the changes in relation to relative carers.

For more information visit the Child Support Agency at www.csa.gov.au or phone 131272.



legal information



This section is designed to give you information about legal situations you may experience as a relative carer. It is paramount that you seek legal advice to ensure your individual needs are represented professionally. This information should be used only as a general guide to inform you of legal alternatives and services.

This section has been developed in collaboration with Benetatos White Solicitors. Information has also been obtained from 'The Law Handbook' 10th Edition, by Redfern Legal Centre Publishing and various websites that are acknowledged within the text.

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The legal system can be a challenging and intimidating area for relative carers to navigate. Relative carers experience a variety of situations when children arrive in their care. The placement could have been privately arranged with the child's parent, through a non-government organisation or through the involvement of the Department of Community Services (DoCS). Predominantly relatives care for children through;

1. Care and Protection proceedings via an application by the Department of Community Services (DoCS) in the Children's Court,
2. the Family Court (Consent or Parenting orders)
3. an informal family arrangement (no court orders)

Depending on your situation and needs you may be involved in or initiate proceedings in a variety of courts. Courts have different proceedings and principles.



Relevant Legal Systems

	CHILDREN'S COURT Child Protection	FAMILY COURT Family Law Federal Magistrates Court
Law	STATE Children and Young Persons (Care and Protection) Act 1998	FEDERAL Family Law Act 1975
How a matter gets to court	Application by DoCS	Application by person concerned with child's welfare
People involved in the court process (parties)	Minister and Director-General of the Department of Community Services, parents and child. Others with genuine concern can apply to participate	Parents/relatives
Principles & focus	Safety, welfare and wellbeing of child are paramount. Focus on protection of child	Best interest of child paramount
Proof	Balance of probabilities (as opposed to 'beyond reasonable doubt' as in criminal law)	Balance of probabilities
Child's view	Relevant and taken into account depending on age and maturity. Usually presented by solicitor appointed to act on behalf of the child	Relevant and taken into account. Child's views reported to Court by Family Consultant or Independent child lawyer (child rarely appears in court)
Outcome	Range of orders available in court including care order, supervision order, contact order, parental responsibility order	Parenting order; where child lives, who they spend time with, parental responsibility



Care and Protection Matters

My grandchildren have lived with me since they were removed from my daughter and her boyfriend. I didn't go to court; however DoCS called me and asked if I'd be willing to take them

The Children's Court of NSW hears 'care matters' which apply to children's care and protection cases. This means that if DoCS believe that a child is at risk of harm and in need of care and protection, they will apply to the Children's Court for a care order. Care orders are intended to be a last resort option and include various aspects depending on individual circumstances. The laws made by the NSW Parliament in the area of child protection are contained in the Children and Young Persons (Care and Protection) Act 1998.

For more information about;

- care applications and Children's Court processes: www.lawlink.nsw.gov.au
- when children are at risk of harm see: www.community.nsw.gov.au and follow the link to preventing child abuse and neglect
- to read the Children and Young Persons (Care and Protection) Act 1998 visit: www.austlii.edu.au or www.legislation.nsw.gov.au

Relative carers may be given aspects of parental responsibility for their grandchild/ niece /nephew, without being involved in the Children's Court process.

My grandchildren have lived with me since they were removed from my daughter and her boyfriend. I didn't go to court; however DoCS called me and asked if I'd be willing to take them.

Children's Courts are conducted as closed courts so the public are excluded, however people directly interested in the proceedings such as relatives may sit in the courtroom

with the leave of the Court. The people who have a right to appear in care proceedings include the Director-General of Community Services through the Department of Community Services, the child or young person through their legal representative and the people with parental responsibility prior to attending court which is usually the birth parents. The Children's Court has discretion to allow other interested people to appear in the proceedings if they have a genuine concern for the safety and wellbeing of the child or young person. Therefore, you may need to be involved as a party in the proceedings.

Relatives can request to become a party to proceedings in a Children's Court matter. If you are not a parent of the child, an Application needs to be made to the Children's Court for leave to appear as a party in the proceedings. If you are a relative who is a potential or actual carer, leave will usually be granted.

Legal aid is available to relative carers who have been made party to the proceedings subject to both a means and merit test.

Information about legal aid is provided later in this section.

I had been making reports to the DoCS Helpline about my nephew for over a year. When DoCS removed him I applied to the Children's Court to be involved. My solicitor helped me apply for residence and we won. He has been living with me for two years now. It was a difficult process particularly going up against my sister. She doesn't talk to me now and that's upsetting. Also, I wasn't eligible for legal aid so it cost me a fair bit, but at least now he's safe and happy.

Relative carers who are excluded from a Children's Court matter will not have access to the reports provided to the court. However if aspects of parental responsibility are allocated to you as a result of the Court proceedings you will be provided with a copy of the final court order. This will be provided to you by the Court not from DoCS.

**Information
about legal
aid is provided
later in this
section**



A party to the proceedings who is dissatisfied with a final order of the Children’s Court may appeal to the District Court.

Authorised carer assessment

When a child is unable to live with their birth parents DoCS in many cases will look for a relative to care for the child. It is DoCS responsibility to make sure the child will be cared for in the most suitable environment. Even though you may have cared for the child on an informal basis before, DoCS will need to conduct an assessment to identify who is the most appropriate carer for the child. For more information about becoming an authorised carer see ‘Financial Assistance – Department of Community Services’

Parental responsibility

As an outcome of Care and Protection proceedings in the Children’s Court, parental responsibility of a child may be removed from a parent and allocated to another person. As relative carers this could mean that you share aspects of parental responsibility with the Minister for Community Services.



When all aspects of parental responsibility have been removed from birth parents the orders will state that the child or young person has been placed in the Minister’s care or in the care of a relative/carer. The Minister is the Minister for Community Services whose responsibility will be carried out by the DoCS caseworkers on behalf of the Minister. A child who is placed in the Minister’s care was formerly known as a ‘State Ward’ or ‘Ward of the State’. These terms are no longer used.

Orders allocating parental responsibility can be made for a specified period or until the child or young person turns 18 years of age. Orders may be made for a fixed period of six months or two years if the court anticipates that the child may be restored to their parents.

Shared parental responsibility

Many relative carers share aspects of parental responsibility

with the Minister. This is established as part of the court proceedings and you should receive a court order listing specific terms of how parental responsibility is shared. The Court may allocate specific aspects of parental responsibility such as;

- the place of residence (where the child lives),
- contact (who the child spends time with),
- education and training,
- religious upbringing and
- medical treatment.

Predominantly when parental responsibility is shared between a relative carer and the Minister, decisions regarding day to day care and activities such as school excursions, haircuts and general dental care are made by the relative carer. Often the child's caseworker will be required to approve decisions such as applying for a passport, changing schools and interstate holidays.

If you do not have a copy of this Court order it is important that you request a copy to ensure you are fulfilling the responsibilities you have been allocated. You can obtain a copy of the Court orders from the court where the matter was heard or request a copy from DoCS.

Varying final care orders in relation to parental responsibility

For DoCS or relative carers to rescind (cancel) or vary a care order you are required to go back to court and apply for leave to have the Court review the matter. The Court may grant leave to re-open a case if it believes there has been a significant and relevant change since the care order was made. To grant leave means that the Court gives permission to have your case heard. If the Court grants leave the parties will be required to indicate what orders they seek and to file evidence and attend a hearing. Legal aid is available for relative carers when applying to vary or rescind an existing care order subject to a means and merit test.



I spoke to my niece's caseworker from DoCS about how distressed she became after visiting her mother. I believe this is because my sister has started using drugs again and my niece is exposed to some disturbing behaviours. The DoCS workers initiated Court proceedings to change the care order. There were no legal expenses for me. Contact is now supervised by DoCS staff which is much better for my niece, although her mother rarely turns up anymore.

Sole parental responsibility

A relative carer can apply to the Children's Court for a Sole Parental Responsibility Order. This is also known as a Section 149 Order.

A Sole Parental Responsibility Order reduces the involvement of DoCS and provides carers with the responsibility and authority that birth parents have in relation to their children. There are five key features of a Sole Responsibility Order which include the consent of the persons who had care of the child before parental responsibility was allocated to the Minister, and the consent of the child if they are aged over 12 years and are capable of giving consent. The child's birth parents are still recognised by law as their parents and the child keeps their name and identity. If you are successful in your application for sole parental responsibility DoCS Care Allowances may continue but will be subject to review. You will incur legal costs if you initiate a Sole Parental Responsibility Order and use a lawyer unless you are eligible for legal aid.



For more information about sole parental responsibility see the DoCS website for the fact sheet titled 'Out-of-home care Sole Parental Responsibility'.

www.community.nsw.gov.au/docswr/_assets/main/documents/soleparent_fact.pdf

Permanency planning

Permanency planning is a DoCS approach to case planning that aims to provide a child or young person in out of home

care with a stable placement that offers long-term security. A permanent placement may be achieved by restoration of the child to their birth parent/s. Restoration is when a child returns to live with their birth parent. If restoration is not an option alternative long-term placement decisions must be considered. This may include a placement with a relative who has been assessed as an authorised carer. This decision will be made with the child's best interests as the paramount consideration.

The permanency planning policy states that following the removal of a child or young person from their family by DoCS, a decision about whether restoration is a realistic possibility must be made within six months for children less than two years of age and 12 months for all other children and young people. If DoCS have determined that restoration to the birth parent/s is not a possibility for a child or young person they may still have continued contact as part of a long term case plan.

Aboriginal and Torres Strait Islander child placement principles

The Children and Young Persons (Care and Protection) Act 1998 acknowledges the harm caused to generations of Indigenous people by removal of children from their families and communities. The Act requires that wherever possible Aboriginal and Torres Strait Islander children are placed with members of their own cultural communities. If this is not possible or not in their best interests, they should be placed with people who are able to give them a positive cultural identity, knowledge of their culture and protection against discrimination.

For further information about Aboriginal and Torres Strait Islander placement principles see the Children and Young Persons (Care and Protection) Act 1988 at www.auslii.edu.au or www.legislation.nsw.gov.au

Adoption

Adoption is the legal process by which a child ceases to be the child of their birth parents and becomes the child of the adoptive parents. It involves the lifelong cutting of legal ties



to the birth parents and other family members. The adoptive parent/s has full parental responsibility for the child. The adoption process involves applying to the Supreme Court for an Adoption Order. Costs of up to \$5000 may apply. An Adoption Order will not be made unless it is clearly preferable to other alternatives such as a parenting order and must be in the child's best interests. When the child has a meaningful relationship with members of their birth family, adoption may not be an appropriate choice.

For relatives to initiate the adoption process the Adoption Act requires that the child must have lived with them for at least five years and is at least five years of age. When children are under five years of age their parents consent is required. When a child is older than twelve years of age their consent is required. Additional procedures and exemptions apply to the Adoption Act.

For further information about adoption see the DoCS website at www.community.nsw.gov.au and follow the links to 'foster care and adoption'.



Family Law

When families are caring for a relative's child through an informal arrangement Family Court orders can provide security and stability. It is important to know that terms such as guardianship, custody and access are no longer used. They have been replaced with orders that provide for where the child is to live, who the child is to spend time with and parental responsibility. The Family Court will make these orders with the best interests of the child remaining as the paramount consideration.

For further information about how the best interests of the child are determined see www.familycourt.gov.au. It is up to family members to start Family Law proceedings. DoCS do not usually have any involvement in these matters. Remember that the Care and Protection matters that DoCS is involved

in are governed by State law, while the Family Law Act is a Federal law.

Orders may be made under the Family Law Act with the consent of the parties, usually being the parents and the carer and if applicable a lawyer appointed to act for the child, or where there is no agreement by the parties, after a hearing by the Court.

The birth parents of the child are usually parties in proceedings under the Family Law Act unless they do not wish to participate in the proceedings. If this is the case, the Court will need to be satisfied that the parents have been served with a copy of the Application and if they cannot be located that all reasonable steps have been taken to attempt to serve them.

Consent orders

If you and the child's birth parents agree to the current arrangements for the children you can keep it as an informal agreement, make a parenting plan (see later section) or apply to the court to approve a consent order. A consent order is an agreement stating where and with whom a child will live along with aspects of parental responsibility. A consent order requires agreement of all parties. For relative carers this means that the child's birth parents must agree to the placement and show willingness to work with you towards obtaining formal court orders. Consent orders have the same legal effect as an order made after a court hearing.

The Federal Magistrates Court

The Federal Magistrates Court was developed to provide a simpler and more accessible alternative to litigation in the Family Court. You can apply for consent orders through the Federal Magistrates Court. The local court can also be used to file a consent order. See 'the Chamber Registrar' in this section.

For more information on how to apply for a consent order call the Family Law Courts Inquiry line on 1300 352 000 or visit the Family Law website – www.familycourt.gov.au or the Federal Magistrates Court website – www.fmc.gov.au.

For free legal advice see the resources at the end of this section.



For free legal advice see the resources at the end of this section

Family Court matters can take 12 months from when you file the application to the final hearing. However matters may take up to two years

Parenting orders

A parenting order is a set of directions made by a court about parenting arrangements for a child. Any person concerned with the care, welfare or development of a child can apply for a parenting order. From mid 2007 prior to applying for parenting orders you must attempt family dispute resolution. See 'Family dispute resolution' in this section.

An application for a parenting order can be made to the Family Court, the Federal Magistrates Court or the Local Court. In the Local Court, if the matter cannot be resolved by agreement, it is likely to be transferred to the Family Court or the Federal Magistrates Court for determination.

If you are initiating a parenting order application and have concerns that the child involved has been abused or is at risk of abuse tell your solicitor. There will be an additional form that you must file informing the court of the allegation. DoCS will need to be served with a copy of this form and if the allegations are serious enough, they may become a party to the proceedings or commence new proceedings in the Children's Court under the Children & Young Persons (Care & Protection) Act.

Family Court matters can take 12 months from when you file the application to the final hearing. However matters may take up to two years.

A matter before the Family Court or the Federal Magistrates Court, even after an Application has been filed, can be settled by agreement at any time prior to the hearing.

Interim orders

If a matter is urgent you can seek interim orders. When you apply for interim orders you must complete an affidavit. An affidavit is a formal sworn statement in writing setting out your evidence of the facts of your case.

For information about how to write an affidavit see the Family Court website at www.familycourt.gov.au and consult legal advice. See 'legal support'.

You must file an Application for Final Orders when applying for interim orders. The Court will not make an interim order unless an application for final orders has been filed.

Contravening a parenting order

When a parenting order is made each person affected by the order must take all reasonable steps to comply with it. A breach of a Court order is called a contravention. If the Court establishes that a parenting order has been contravened without a reasonable excuse it will usually in the first instance refer the contravening party to a parenting programme and may vary the orders. If this does not rectify matters, the Court may impose fines, bonds or even terms of imprisonment on a party contravening an order. The Family Court does not watch over parties to enforce an order. If an order is breached parties are encouraged to resolve it between themselves. Otherwise you will be required to take the matter back to Court by filing a Contravention Application.

If you are not eligible for legal aid and have a lawyer act for you, you will incur legal fees. However, if the contravention is established the Court may order the other party to pay your legal costs.

Recovery orders

If a child has been taken from, or not returned to, their primary carer, the carer should apply for a recovery order as soon as possible. A recovery order may result in a warrant being issued to the police for the return of the child. You can apply for a recovery order if you have a parenting order, parental responsibility or if you are the child's grandparent. You can also apply for a recovery order if you are the person the child lives with through an informal arrangement and there is no parenting order that states this.

An application for a recovery order should be filed in the Federal Magistrates Court but can also be filed in the Local Court if this is more convenient. If you have an existing case with the Family Court your application should be filed in that Court. If you do not have a current parenting order you should apply for one in the same application that you are applying for



a recovery order. An affidavit to support your application must also be filed. This should include details about your relationship with the child and annex copies of any relevant existing orders you are relying on, where the child might be and why it is in the child's best interests to be returned to you.

The Court may issue an order and warrant that directs a person to find, recover and deliver the child. It is your responsibility (not the Courts) to give the order and warrant to the relevant person. Predominantly this will be to the Australian Federal Police or the NSW Police Force.

A copy of the recovery order with a covering letter and the warrant shall be sent to both police forces providing details of where the child might be located.

Family dispute resolution

As from July 2007 before going to court about a parenting issue parties must attempt alternative dispute resolution. A Court cannot hear an application for a parenting order unless a certificate from a family dispute resolution practitioner is filed with the court application. The certificate will state if a genuine effort was made by all parties to resolve the dispute, if one party did not make a genuine effort to resolve the dispute or if the other party did not attend.

It is appropriate to access legal advice prior to attending dispute resolution so that you are aware of your legal rights and can negotiate from an informed position.

There are exemptions in some circumstances for mandatory dispute resolution. These include the Court's acceptance that there may be a risk of abuse or family violence, or if the application is urgent.

For a full list of exemptions and other information on family dispute resolution see **www.familyrelationships.gov.au** and follow the link.



Parenting plans

A parenting plan is another alternative for families caring for a relative's child through an informal arrangement. A parenting plan is not a legally enforceable document and you do not go to court to develop it. A parenting plan is a voluntary written agreement and must also be executed by the child's birth parents. Although courts are not bound by parenting plans, they must have regard to them when making later decisions about a child.

A parenting plan may include who the child lives with, who the child spends time with, allocation of parental responsibility as well as other aspects of care, welfare and development.

For more information about parenting plans contact a Family Relationships Centre or visit www.familyrelationships.gov.au

Other Legal Issues

Accessing legal documents

Birth certificates

Relative carers can apply for a copy of a birth certificate for the children in their care by applying to the NSW Registrar of Births, Deaths & Marriages. You will be required to demonstrate that you have consent of one of the parents of the child or from a legally appointed guardian of the child. The fee is between \$39.00 and \$59.00.

For more information contact Registry of Births, Deaths & Marriages at www.bdm.nsw.gov.au Ph: **1300 655 236**

Passports

An application for a passport can be made at either a passport office or an Australian Post Office. To apply for a passport for a child, you must have documentation confirming your legal authority over the child such as a Children's Court order or an order made under the Family Law Act.

For more information contact the Passport Information Office by calling **131 232** or visiting their website www.passports.gov.au



Wills

A will is a written document that states how a person wants their assets divided after their death. There is no specific legislation for relative carers in relation to making a will.

When a carer dies

Carers are often concerned about what will happen to the children in their care when they die.

When any situation changes that impacts on the welfare and best interests of the child the matter should return to the court where the orders were made.

Carers who have their relative's child through a Children's Court order and share parental responsibility with the Minister can document their preferred placement for the child in the event of their death. DoCS, as with all decisions will consider your request in relation to the best interest of the child. This decision is based on many factors. After establishing a suitable placement the matter may be returned to the Children's Court for new orders to be made establishing such placement or alternatively giving full parental responsibility to the Minister.



When families have a Family Law parenting order and the carer with 'lives with' orders dies, this does not automatically make the other family members on the parenting order their primary carer. For example if a grandchild is living with their grandmother and visits their birth father each fortnight, the birth father would be required to obtain a new parenting order for the child to live with him in the event of the grandmother's death. The Court may determine it is in the child's best interests to live with another person.

When a birth parent dies

If a birth parent dies and a grandparent or other interested party is caring for the child and wishes to continue caring for the child, they should consider seeking orders under the Family Law Act.

Ending a placement

Sometimes a relative carer is unable to continue caring for their relative's child. If the placement was made after a

Children's Court order the carer is advised to contact the child's DoCS caseworker. If you do not have a caseworker contact your local DoCS office. DoCS may ask you if there are any other family members who are able to take care of the children, or offer temporary support such as respite to assist you. Otherwise a placement may be made with a foster carer. If this occurs you may have ongoing contact with the child if this is in the child's best interests.

If the person is caring for the child under a Family Law order and another person is available to care for the child and is willing to take over care of the child, an Application will need to be made for new orders to reflect the proposed arrangements.

Victims compensation

If a child has been the victim of violence or abuse, they may be eligible for Victims Compensation. Such claims are limited as to what types of injuries may be compensated and how much is to be paid. Detailed advice should be sought from a lawyer or Victims Services. For more information see

www.lawlink.nsw.gov.au

DNA tests

The Family Court can order DNA tests to prove paternity. These are usually between \$700-\$1000. The court can order that these costs be shared between the parties.

If a relative is uncertain of a child's paternity they may apply to the Family Court for a paternity testing procedure if they have a substantial role in the child's care and the doubts about the paternity are justified and will impact on the ongoing care arrangements for the child. Usually it is an alleged father who applies for paternity testing.

Making a complaint

There are various avenues to make a complaint about a government agency. If you are unhappy with a decision made by a government department you should try to discuss the problem with the person who made the decision. If this does not resolve the issue one avenue is to contact the Ombudsman's office. The Ombudsman's office is impartial



and independent of government. It receives complaints about government departments, statutory authorities, public officials and their employees and seeks to resolve them.

The Commonwealth Ombudsman

The Commonwealth Ombudsman is the appropriate office to register a complaint about Centrelink, Child Support Agency and the Federal Police. Complaints to the Commonwealth Ombudsman can be made by phone, in writing or by electronic lodgement through their website.

For further information visit the Commonwealth Ombudsman at www.ombudsman.gov.au

The NSW Ombudsman

NSW Ombudsman is the appropriate office to register a complaint about Department of Community Services and NSW Police. Complaints to the NSW Ombudsman should be in writing.

More information about making a complaint to the NSW Ombudsman is available at www.nswombudsman.nsw.gov.au

Legal Support

Legal Aid NSW

Legal Aid NSW has a head office in Sydney and 20 metropolitan and regional offices.

Head Office

**Ground Floor 323 Castlereagh Street SYDNEY NSW 2000
Tel: (02) 9219 5000 • Web: www.legalaid.nsw.gov.au**

Legal Aid does not provide legal advice over the phone. See 'Law Access' information in this section.

Relative carers involved in Children's Court or Family Court proceedings may be eligible for legal aid if your income and assets are below a certain level set by the Legal Aid means

**Legal Aid
NSW does not
provide legal
advice over
the phone. See
'Law Access'
in this section.**

test. Additionally you may be subject to a merit test which considers the strength and reasonableness of your case.

You will be required to fill out an 'Application for Legal Aid' form available online at www.legalaid.nsw.gov.au. You can also have a form mailed to you by calling the Publications Unit (Tel: 02 9219 5028) or emailing publications@legalaid.nsw.gov.au. If you need a form urgently it can be faxed to you. You can also obtain application forms from a Legal Aid office and from duty lawyers at Local Courts.

The application form is approximately nine pages long and you will be required to answer up to 50 questions which assess:

- your financial means (your income and your assets)
- the merit of your case (whether it is likely to succeed and whether the cost can be justified)
- whether you meet Legal Aid policy guidelines.

After your request has been assessed you will be notified in writing as to whether or not your application has been successful. Legal aid is not always free. You will also be notified how much money you will be required to pay and when you have to pay it. If you are granted legal aid the Legal Aid Commission will provide a lawyer to help you with your case. The lawyer may be a Legal Aid Commission lawyer, a private lawyer, or a community legal centre lawyer.

You can get free legal advice from most Legal Aid offices. You should phone for an appointment.

To locate your closest Legal Aid office call the head office.

Legal Aid Youth Hotline

Tel: 1800 10 18 10

Legal Aid has a toll free telephone service for children and young people under 18 years of age, called the Legal Aid Youth Hotline. Experienced criminal lawyers with expertise in juvenile justice, provide legal advice to young people who have committed or are suspected of committing an offence.



The Chamber Registrar

The Chamber Registrar is situated in the Local Court and provides information free of charge to members of the public.

The role of the Chamber Registrar is different to that of a solicitor. They provide free legal information and can help you fill out legal forms. The Chamber Registrar will listen to your legal problem and tell you what the legal situation is and may even indicate your chances of success if you undertake legal proceedings.

The Chamber Registrar will not advise you what to do. They will tell you all the things you need to know to make a decision, and explain what options you have, legal or otherwise.

For your nearest Local Court look under 'Local Courts' or 'Attorney-General's Department' in the White Pages of the telephone book. Hours and the need to make appointments vary from court to court.

Community Legal Centres

National Association of Community Legal Centres

PO Box A2245, Sydney South NSW 1235

Tel: 02 9264 9595 • Web: www.naclc.org.au

Community Legal Centres are independent, non-profit community organisations providing free legal advice, information and referrals for individuals and communities across New South Wales.

There are 39 Community Legal Centres throughout NSW employing qualified staff including solicitors, social workers and community legal educators.

Some Centres provide legal advice over the phone and hold interviews and advice sessions after business hours. For information on services offered by individual centres please contact the centre in your area directly.

To find your local Community Legal Centre call the National Association of Community Legal Centres or visit their website.



OTHER SERVICES

Aboriginal Legal Service

Tel: 02 83036600

Web: www.alsnswact.org.au

The Aboriginal Legal Service is committed to providing a quality legal service, appropriate to Aboriginal communities across NSW and the ACT.

The organisation is predominantly a criminal law practice which provides advice and representation for both Indigenous adults and young people. In addition to their criminal practice, they deal with civil matters, Family Law and child protection matters.

To contact your local office call the number provided above or the Head Office on (02) 88428000

Family Dispute Resolution Services

Family Advice Line: 1800 050 321

Web: www.familyrelationships.gov.au

The Australian Government funds a number of community-based organisations to provide family dispute resolution services. Find services in your area by visiting the website, or calling the number above.

Family Law Hotline

Tel: 1800 050 321

Translating and interpreting service (24 hrs) – 131 450

The Family Law Hotline is a confidential telephone information service for people requiring assisted access to the full range of information available on the Family Law Online website. This service is accessible nationwide on a toll free basis.

Indigenous Women's Legal Contact Line

Tel: 1800 639 784

This toll-free line is staffed by Aboriginal women, and is open 10:00am - 12.30pm and 1.30pm - 4.00pm Monday, Tuesday, Thursday, and Friday.



Law Access NSW

LawAccess NSW:

Tel: 1300 888 529 • Tel: 1300 889 529 TTY

Web: www.lawaccess.nsw.gov.au

Law Access NSW is a NSW wide telephone information, referral and advice service open from 9am to 5pm Monday to Friday. All calls are answered by information officers who can explain:

- legal aid policies and services
- how to apply for legal aid
- how to get help with your legal problem

Law Access also gives referrals to other services and will answer simple legal questions.

Law Society of NSW

The Law Society of New South Wales

170 Phillip Street, Sydney NSW 2000

Tel: 02 9926 0333

The Law Society of NSW provides various legal resources including a Solicitor Referral Service. This helps members of the public find a private firm of solicitors or accredited specialists in specific areas of law.

Legal Information Access Centre

State Library of New South Wales

Macquarie Street, Sydney NSW 2000

Tel: 02 9273 1558 • Web: www.liac.sl.nsw.gov.au

The Legal Information Access Centre (LIAC) is a free legal information service for all members of the community in NSW. Follow the link to 'Find Legal Answers' for answers to everyday questions about the law in NSW.

Women's Legal Resource Centre

PO Box 206 Lidcombe North NSW 1825

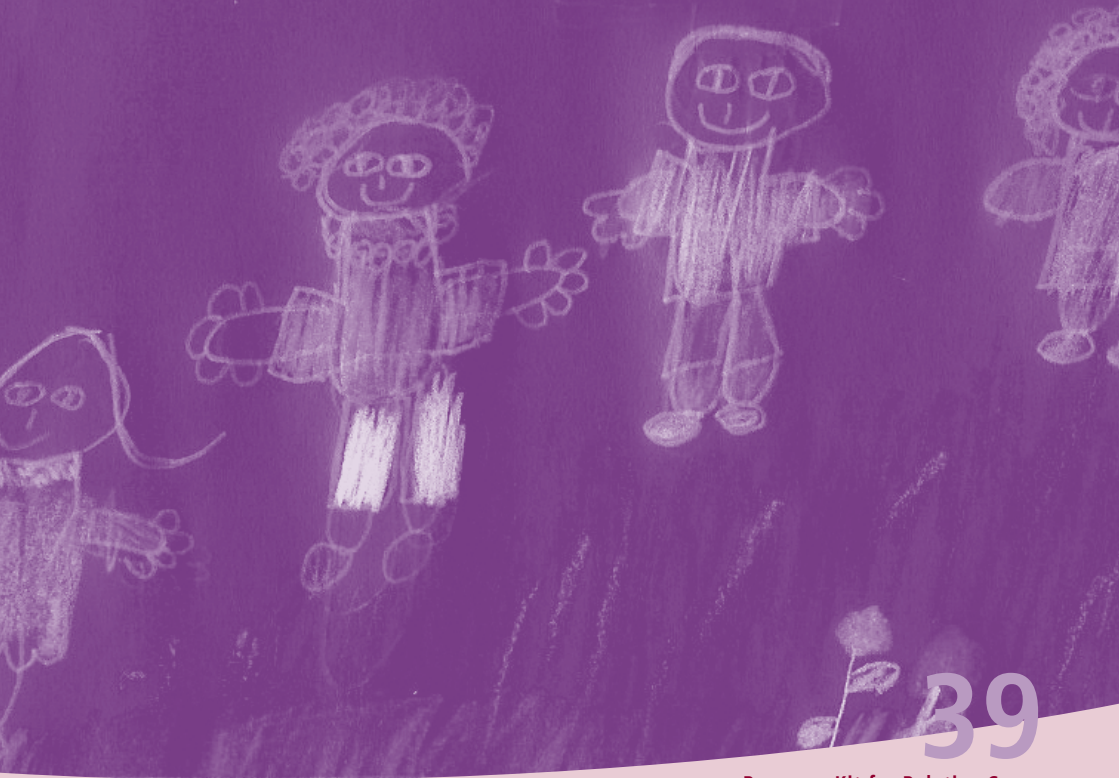
Hotline: 1800 801 501

Web: www.womenslegalnsw.asn.au

This is a free legal service for women in NSW. It deals mainly with family law issues but can refer callers to a relevant agency if necessary.



support services



A variety of services exist for relative carers. Some of these have been mentioned in previous sections of this kit. The following pages identify additional services that may be helpful for your family. It is not an extensive list and only represents some of the services available.

Contact your local council for a range of information on services as well as community information in your area.

Your local Neighbourhood Centre, Community Health Centre and Women's Health Centre will also be able to provide information on services accessible in your area.

Support Services

Aftercare Resource Centre (ARC)

Tel: (02) 9890 3899 or Freecall 1800 656 884

Web: www.relationshipsaustralia.com.au

Follow the links to the ARC information

The ARC is a service for young people between the ages of 16-25 years of age, who have been in out-of-home care, and need assistance in living independently.

ARC Support Service

Tel: Freecall 1800 656 884

The ARC Support Service is a specialist service funded to support people who as children have been in care in NSW. The service is available for people over the age of 25 years.

Carers NSW

Freecall: 1800 242 636

Web: contact@carersnsw.asn.au

Carers NSW is an association for relatives and friends who are caring for people with a disability, mental health problem, chronic condition or who are frail aged. For carer information, support and counselling contact Carers NSW.

Commonwealth Carelink Centres

Freecall: 1800 052 222 to find your local centre.

Web: carelink@anglicare.org.au

Commonwealth Carelink Centres are information centres for older people, people with disabilities and those who provide care and services. They provide free and confidential information on support services available locally, interstate or anywhere within Australia.

Council On The Ageing (COTA) NSW

Grandparents Raising Grandchildren

Level 4, 280 Pitt Street Sydney NSW 2000

Tel: 02 9286 3860 or 1800 449 102 (for regional callers only)

Website: www.raisinggrandchildren.com.au

Grandparents Raising Grandchildren represents an alliance of grandparents who have fulltime care and responsibility of



their grandchildren across NSW. An information book called 'Where do you go for help?' is available on their website.

CREATE Foundation

Level 6, 280 Pitt St Sydney NSW 2000

Phone: 1800 655 105 Website: www.create.org.au

CREATE Foundation is a national organisation run for, by and with children and young people in care. CREATE connects and empowers children and young people in care and improves the care system through activities, programs, training and policy advice.

Department of Community Services

DoCS Head Office

4-6 Cavill Ave Ashfield NSW 2131

Locked Bag 4028 Ashfield NSW 2131

Tel: 02 9716 2222 • Web: www.community.nsw.gov.au

Helpline: to report suspected abuse or neglect of children or young people call: **132 111**. DoCS Helpline operates 24 hours a day, seven days a week. You can ring statewide for the cost of a local call.

On the website Follow the link to 'Support and Counselling Services' and 'Parenting Services Directory' for a list of support services in your area.



Foster Care Association of NSW

131 Hawkesbury Rd Westmead NSW 2145

Tel: 02 9633 5816 • 24 - hour support line: 02 9633 3824

Web: www.fcansw.org.au

The Foster Care Association provides training, support groups and social activities for carers in many areas as well as a 24 hour support service for peer support, information and advice.

Foster Parent's Support Network

Website: www.fosterparentsupportnetwork.org.au

24 hour support line: 1800 262 445

The Foster Parent's Support Network aims to inform and support foster carers in the day to day care of children.

Karitane

Karitane Care Line: 1300 227 464 • TTY (02) 9794 1848

Web: www.karitane.com.au

Karitane provides a 24 hour state wide telephone information service. Child and family health nurses are available for consultation on a wide range of issues related to parenting children from birth to five years of age.

Kids Help Line

Tel: 1800 551 800 Website: www.kidshelp.com.au

Kids Help Line is a free confidential and anonymous telephone and online counselling service specifically for young people aged between 5 and 25 years.

Life Line

Tel: 13 11 14

Lifeline is staffed by trained volunteer telephone counsellors who are ready to take calls 24-hour a day, any day of the week from anywhere in Australia.

Mensline Australia

Tel: 1300 789978 • 24 hours/7 days

Web: www.menslineaus.com.au

Mensline Australia is a dedicated service for men with relationship and family concerns.

Mirabel Foundation

PO Box 1320 St Kilda South Victoria 3183

Tel: 03 9527 9422 Web: www.mirabelfoundation.com

The Mirabel Foundation assists children who have been orphaned or abandoned due to parental illicit drug use. Mirabel provides advocacy, referral, emotional and practical support for these children and their carers.

The Mirabel Foundation has developed a resource book for Relative/Kinship Carers called "When the Children arrive..."



NSW Seniors Card

Seniors Card Office, Locked Bag 16 Kingsgrove, 2208

Seniors Hotline: 1300 364 758

Web: www.seniorscard.nsw.gov.au

Carers aged 60 or over and who work no more than 20 hours a week in paid employment can apply for a NSW Seniors Card. To apply, complete a form found at your local council and a variety of other places listed on the Seniors Card website.

Raising Children Network/Raising Foster Children

Free parent 24 hour hotline NSW Tel: 132055

Web: www.raisingchildren.net.au

Web: www.raisingfosterchildren.net.au

This is a website for Australian mothers, fathers, grandparents and anyone else who has responsibility for the care of children. Follow the links to local support services.

Relationships Australia

Tel: 1300 364 277 • Website: www.relationships.com.au

By phoning this number your call will automatically be directed to your nearest Relationships Australia office.

Relationships Australia provides relationship support to people. They have a range of services including counselling, family dispute resolution, relationships education and parenting skills training.

The Smith Family

Tel: 02 9895 1233 • Web: www.thesmithfamily.com.au

The Smith Family's 'Learning for life' program provides financially disadvantaged students with support through financial scholarships to assist with education expenses such as uniforms, books and excursions.

Tresillian

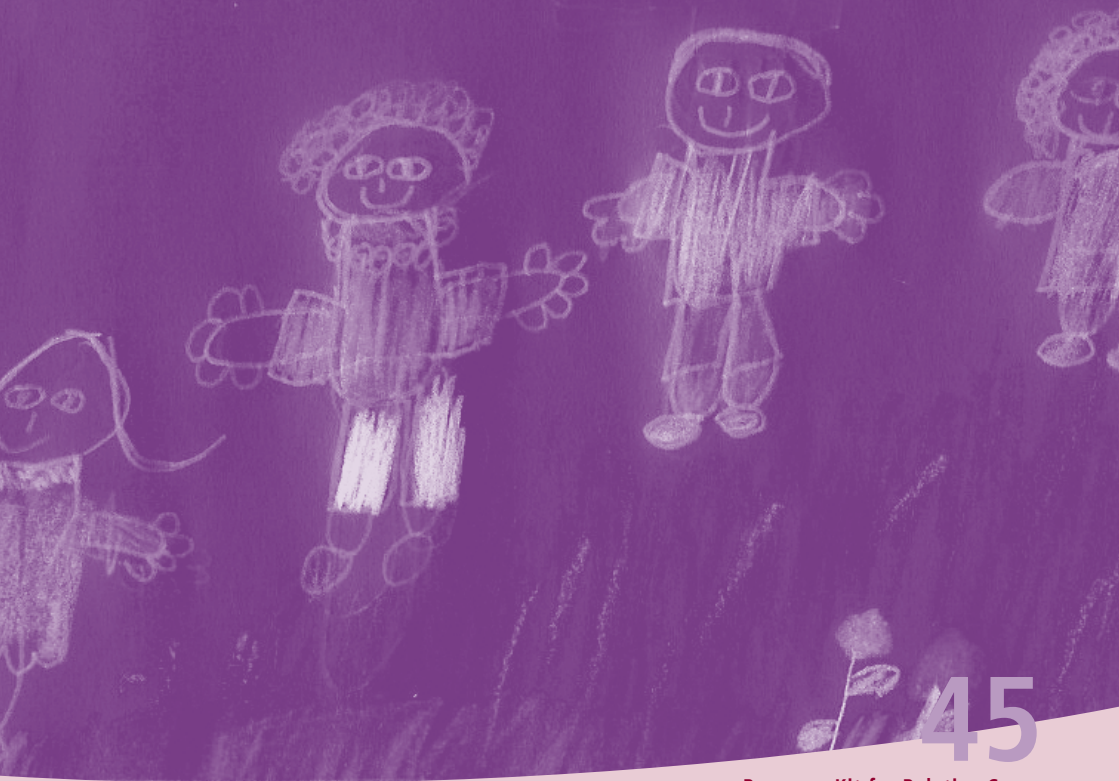
Tel: (02) 9787 0855 or Freecall 1800 637 357

Web: www.cs.nsw.gov.au/tresillian

Tresillian Family Care Centres provide support through a 24 hour Help Line. You can receive on-the-spot advice from Child and Family Health professionals on any issue relating to caring for a baby or young child.



capturing carers stories



45

capturing carer's stories

Interviewed and edited by
Megan Wynne-Jones

A collection of interviews
with grandparents who have
full-time care of their grandchildren.

As a community worker I had some idea of the challenges involved in raising grandchildren, but it was in hearing the stories that I was made aware how significant these challenges are. I have been moved by the honesty of the interviewees, impressed by their strength and resilience, and by the personal sacrifices they have all made. It has been a pleasure to bring my skills as an oral historian to this worthwhile project.

Throughout this section names and other identifying information has been changed to ensure the anonymity of participants.

Pamela

“You know I would never have anyone else take my grandchildren, I mean they’re my blood, that’s my family. But I’d like to be a grandmother, and I don’t feel I am a grandmother. I have another grandson who I’ve never seen, he’s in another state. It broke the family up. And I often think if I didn’t step in maybe Sue might have been a better Mum, maybe Sue might have thought “well they’re my kids, no stranger’s going to have them, I’m going to fight for them”. But I know the kids are safe, and they do love both their parents.”

Pamela, now aged 53, was a widow and was living interstate when she began to get phone calls saying that her daughter was being assaulted by her partner. Pamela knew that they were both dealing drugs. She came to Sydney and has had her three grandchildren Michelle (13), Taylor (11) and Brandon (8) in her care since 2002. A fourth, Britney, aged two, has been with her for the last year.

What was it like at the beginning?

At that stage all I had was a car and \$50 in my purse. My family had closed the doors on us, so we had nowhere to go. If I went back to where I had been living, which I wanted to do, the children’s Dad had threatened me with kidnapping. DoCS came that evening. They sat the children down, got them to draw, and asked them questions. They got us accommodation at a refuge. We weren’t allowed to tell anyone where we were going, but I was able to go back to my sister’s and mum’s and I’ll never forget it, I got my quilt and some clothes and scraped up a few things for the kids. Everything was new to me, you know, I didn’t understand what was going on.

We were only supposed to stay there for six weeks but it was seven months. To start with I felt very safe. But I guess I was one of the odd ones out, you know, I was a 50 year old woman



and it was a family refuge. They used to call me mum. A lot of them had been involved with drugs, alcohol, and had no family support. So I learned a lot about drugs and everything out there. To me it was like hell. I lost my car because I couldn't afford the repayments. So we had to rely on people from the refuge to take us shopping. I felt like I was treated like a nobody. I felt I lost my independence. I've never in my life been involved or locked up or anything, that's what it felt like, you were locked up. Don't get me wrong, they were nice. I had a lot of support from the residents there, a lot of them were really good. I had counselling, I had to do courses.

I had no idea that I was meant to look for a place, I didn't know what DoCS were doing, and then all of a sudden I got an eviction notice. So I had a week, it was just before Christmas and I actually found a house. We had no furniture and the kids were sleeping on the floor, for months. The refuge gave us some mattresses and a table and over a period of time I picked up saucepans. (crying) That was a hard time. I was paying \$250 a week rent. It's pretty hard on a pension with three kids. Anyway I finally got a house. It was community housing and they were fantastic. DoCS actually came up with some money to get the kids some beds, some furniture. I got the kids their bedroom suites, it was only cheap, but they loved it, it was like Christmas when they got them. I was able to get a washing machine, a lounge and a fridge, and then after a few years I ended up getting this place here. This is a house.



What's the legal situation with the children?

We went to court a couple of times and DoCS became the carers to the first three children until they're 18 years old. The dad tried to get them back but he was using them. I knew he wasn't clean, so I fought all the way and luckily we won. But I had to do the escorting of the children to see their father every weekend. I had an AVO against him but DoCS didn't care about that. "Those children have a right to see their father and you're going to do it". I was breaking the law by even going near him because AVOs work both ways. DoCS didn't care

about how much strain they put me under. I was petrified every time I had to take the children. I did everything that I thought was right and in the best interest to the kids but I was also petrified of DoCS. I was scared that if I didn't do what they wanted me to do that they would just come and take those children. I mean those kids mean the world to me, and nobody was going to take those kids. And it was said many a times, "we are the guardian"...

With Britney, I ended up getting her through both the parents' consent without it going to court and I've had her ever since. She's not in the care of DoCS. I don't want her to be. At least with this one if anything happens, it's my responsibility.

How were the kids behaving when you first got them?

Michelle, the oldest one, showed a lot of violence, hatred. It would start at 6 o'clock every morning, she would just lash out until she went to school, and then she was home, and it would start again about 5 o'clock every night. The language, the violence, the self-mutilating, wanting to kill herself. She was only eight. I was going through that, night after night, day after day, for months and months and months. Michelle has seen everything, Michelle heard everything, Michelle blamed herself for breaking her mum and dad up. Or she would blame me, I was the one that split them up. She's a little bit better now, but she's tried killing herself, and she steals. I'm worried that she could have bipolar because she just changes like that. I've got to be very careful because she'll attack the other kids. But she is slowly starting to control that, it's only more when she doesn't know where her mother is. Because her mum has walked out on her so many times that she is petrified that her mother is going to walk out and leave her again. I mean DoCS don't need to have to go and fork out thousands and thousands of dollars for Michelle to be diagnosed by a psychiatrist when I know exactly what her problem is. It's her mum. She's been lied to too many times. But her mum is still her mum. If the rumours are right and Sue is pregnant, it's going to take Michelle right over the edge and I don't know where to go then. Michelle will

The language, the violence, the self-mutilating, wanting to kill herself. She was only eight



capturing carers stories

pamela

It's like a pattern with Sue, have the baby, give her to mum, have the baby, give her to mum

schiz out on a big scale. She did when Sue was pregnant with Britney. I can't blame Michelle.

Brandon and Taylor I have no problems. They're really good, they're excellent. Brandon, he has to go to special school because all the domestic violence that they've seen in the past has affected them quite a lot. And their learning is a bit back. Taylor, I can just show you the trophy she got the other day, she broke the record for backstroke in the swimming. Taylor, she's in everything, if there's a vote for the most popular girl at school or at the church, Taylor wins it. She's doing very well.

What's your relationship like with their mum?

It's like a pattern with Sue, have the baby, give her to mum, have the baby, give her to mum. I've done the tough love with Sue. I still do the tough love, but she's still my daughter. She loves the kids, but she knows I'm her mum, she thinks "oh they'll be alright with Mum". It's not being realistic, she needs to think "well hang on they're my children they should be with me, not with my mother." She was a good mum. People always say "how can a good mum just desert their kids?" I can understand that, but I love my kids. Yes, she sees them regularly, you know sometimes I wish she wouldn't. Sometimes I just wish she'd go, just leave us, let me get on with my life, but I think she needs me. But if Sue is pregnant, that's it, I've had enough. Honestly, she can go. I can't do it again. I can't bring up another child. That's what scares me.

What sort of support do you get?

Before I knew anything about Kinship Care I honestly thought I was the only one. I knew there was other grandparents out there and some aunties and uncles and luckily a lot of them were partnered so it made it a little bit easier for them and having their own homes...But Kinship Care, they were fantastic, I mean the first meeting I went to, you could talk about anything, and oh boy I talked about everything and everything, they know about everything. They've been wonderful. They are my support now. They're the ones that know exactly how we are, what we've gone through, how

we feel, the fights we always have with DoCS, yes everything. I think I've missed one meeting since I've been involved with Kinship. I mean oh gosh, if they fold up or the government doesn't subsidise it's going to be another kick in the guts. (crying)

What other supports are there? When we were at the refuge we were put in contact with the church, family support. We used to get in a group and talk, and they were so supportive. They have been with me right from 2002. Brandon went to their playgroup till he was five years old. Because I had no car a worker would pick the kids up on a Sunday and take them to church. We're not Christians, I lost a lot of my faith, but I don't want the children to lose faith. And they got us involved with another organisation, because the education thing is way over my head with kids, so they used to come in and help a bit with the homework.

The schools have been excellent with support for my grandchildren. I got both Taylor and Michelle into special reading classes. I get so much support from the other mums. Because they know, Nan raises them. It's Nan. There's no embarrassment there. I get along great with the women. They turn around and say "oh you've got more experience than we have."

What about DoCS?

I feel I have no support whatsoever from the Department at all. When you've got a child in DoCS there's only a certain amount of stuff you can do. If they want a certain medication DoCS have to approve it, if they need an operation DoCS have to approve it. I went into Medicare the other day because I've misplaced the kids Medicare cards, I cannot get a replacement unless DoCS give the okay. And they're not getting back to me on it. I keep ringing constantly, only for what I know the children are entitled to. A couple of years ago, because some of the homework the kids were bringing home was over my head and because they are a little bit slow on things I felt that with a bit of tutoring it would improve and help them. That



was two years ago. I still have not heard. I keep ringing just about every second week, about the funding for their tutoring. I know that if Brandon can get that little bit of help he won't need to be in a special class anymore, I can get him back into the mainstream. Taylor needs to have braces, so I'm ringing for those, they don't get back to me. The children have been promised things, face to face, counselling, going on a camp, a computer, but they never bothered to get back to them. I just feel that they're above the law. Sometimes I feel like we are the liars, I mean we live with these kids 24/7. I am not going to go to DoCS and say there is something wrong with these kids when there is nothing wrong with them.

But DoCS can be pretty good and generous to a lot of others too. We know a lot of people who get their cars paid for, they get their houses paid for, a lot of DoCS children are in tutoring. Why are they not allowing mine to do it? Why are my grandchildren different to any other child in foster care? There's been a conflict of interest in our case and I just think if a worker is known to a family, or whatever, they should step down. And I might not be right at it, but my damn god belief is that's why I've never got anywhere or any support for my grandchildren.

What responsibility is the Minister taking? Does he think that they can hand you \$400 a fortnight to look after a child, and that's it? The reality to me is, it doesn't work that way. These children, they need counselling, they need support, I don't know, I just get so angry... They're not just a piece of damn furniture that you can damn well fix up for a few years and damn well hand them back when you're sick and tired of it... and that's what happens. DoCS gave Michelle to her father for three months. In that three months she was assaulted, she hardly went to school, and then she was self-placed back with her mother – and for about 18 months she didn't go to school at all. What if Taylor turns around and says to me "I want to go and live with my mum". I have no hope in hell of saying "no you can't", because her sister self-placed herself. It's wrong. The whole system is wrong. I read somewhere that the majority of children that leave the care of the Minister by the time they're 18 are either pregnant, homeless or on drugs. So, no,



as far as DoCS is concerned I'm pleased that there is an enquiry into the Department because something has to be done.

What have you given up to do this?

When DoCS started paying me money, that's all the parents used to think, I'm only doing it for the money. But I had my own business, I had my own home, I had my own car. I didn't do this for the money. I used to go and have my legs waxed, I used to go to a hairdresser. I never hesitated about going and buying an outfit or shoes. Now I'm too tired to even want to do that. And the money that the children get goes on the children. I mean you look at how much you've got to pay for schooling now. They never have missed out on an excursion at school. I've always paid for it, always. If they needed something they've always got it. They probably get a little bit too much, but they lost everything. They lost all their toys. I make sure they never go without, I make sure that they've always got good shoes. Nobody can ever say that they're neglected, there's no way.

A social life? What's that? There's your answer to that one. No. I used to love my lawn bowls. I was international umpire, I was international coach, I was champion of champions, I was president of the club. I used to coach children with netball, with tennis, and my late husband he was a football coach as well. We were farmers, we had it all. Little country hotels we used to go to, everyone knew everybody. So, no, none of that any more. Maybe one day. I'd like to go and play a game of Bingo. But I honestly don't know what I'd do if I ever lost the kids. I haven't had a break from them since I've had them. No respite, nothing. So I wouldn't know what to do with myself, I'd think I'd probably go bonkers.

You know I would never have anyone else take my grandchildren, I mean they're my blood, that's my family. But I'd like to be a grandmother, I don't feel I'm a grandmother. I have another grandson who I've never seen. It broke the family up. I often think if I didn't step in maybe Sue might have been a better mum, maybe Sue might have thought "well they're my kids, no stranger's going to have them, I'm going to fight for them". But I know the kids are safe, and they do love both their parents.



I want the best possible things for my grandchildren

How do you cope?

Oh God I don't know. My philosophy is I have to. If I don't who will? People say how can you hold your temper? You do. I mean I raise my voice, my grandkids if they get into trouble, they get grounded. You don't need to have to yell or scream, I do sometimes, but you don't have to. I get very tired. But you just got to do it, because if you don't nobody else is going to do it for you.

What would you say to a grandparent who was about to embark on this?

Don't ever ever lose or forget who you are...(crying) If you have to go to DoCS don't be scared of them like I was. Don't let them stand over the top of you. But never lose who you are, what you are, that's your blood you're going to be looking after. Don't take no crap from nobody. And do it because you love it, don't do it because you feel that you have to do it. Because you don't have to do anything you don't want to. And that's what I tell my grandkids too. You never have to do anything you don't want to.

Are there any positives in it for you?

I want the best possible things for my grandchildren, and I'm not talking money. I want them to have a damn good education so when they grow up they can do and be what they want to do, that's what I tell them all the time. I want to know that drugs and alcohol is nowhere near my grandkids. If I can get that education into them, which I think I've just about done even now, they're going to grow up to be good kids, and if anything happens to me I know they're going to be fine. That's it. That's all I want. I can see it happening. Especially with Taylor and Brandon. I'm hoping it can happen for Michelle. I still don't give up with her. And that's all I'm after, I mean what else is there? I just want them to be happy.

Since this interview was recorded Pamela's daughter Sue has confirmed that she is pregnant and has returned to one of her ex-partners. Pamela has suffered two minor strokes and is trying to gain legal custody of her youngest grand-daughter Britney, but has been refused legal aid.

Michael & Barbara

“I was always of the opinion that nothing was impossible in life. If you wanted to do something, you could do it, and we did do a lot of things. Nothing stopped us. Until we got these children. And for the first time in my life I was doing something I nearly found impossible.” Barbara

Eight years ago Michael (72) and Barbara (65) were spending their retirement travelling and doing voluntary work when they became full time carers to their daughter's two children. Aged four and six then, the children are now entering their teenage years.

How did you come to have the children in your care?

Barbara: It really all started when our daughter turned about 14 years of age. She was obviously on drugs, got very aggressive, and her personality changed. We tried to do everything we could for her, she was in and out of detox centres, nothing ever seemed to work. When she got pregnant with Max I was absolutely horrified, I could not believe anyone in that condition could get pregnant. But she did and she went ahead with it, Max was born and for about 18 months after she absolutely was the perfect mum, she read to him, she doted on him. We really thought this was it now, he's really changed her life. Then she got pregnant with Kelly and her whole life fell apart. She was very sick and she was drinking, smoking, God knows what drugs she was on. I still can't believe today that these two children are as healthy as they are, they do have problems, health issues, but nothing major, and I still find that a miracle. Thank God they are. She went ahead and had Kelly, and it was even worse, after. She brought Kelly home, she was diagnosed with post-natal depression, bipolar disorder, you name it, we still today don't know what she had or what she has got. I hate to say it now but we know that at the time Max who was two, reared Kelly.



My only regret is we didn't take the children when they were younger because they had already been traumatised

Kelly was just left most of the time in the bassinet crying, in dirty nappies.

Michael: We also know that for a considerable time, Kelly didn't do any talking really. We think that probably her mother just really never spoke to her when she was a little baby. And any time we visited them the actual house was inclined to be in a shambles. There was no housekeeping done at all.

Barbara: The father has always been there and much better towards the kids than our daughter, but he'd just go to work, and leave this little baby. He is very violent and the kids have witnessed many times him beating up our daughter. We didn't know all this at the time, some of it but not all of it. We used to go up to visit them and while we there they could always put on a good image, but underneath...

Michael: She was very skilled at keeping us in ignorance. We discovered a lot of things a long time after. We knew things were not good there but we didn't know how bad. I suppose we hoped that things were better than they were.

Barbara: My only regret is we didn't take the children when they were younger because they had already been traumatised, which has affected their whole being, their intelligence, everything. Going to the Kinship Care meetings and listening to the grandparents there who have taken the kids, or been given the kids from a baby, they don't have any of that. It's only the people whose kids have been traumatised who have the major problems. I don't know why we didn't take them earlier. I think maybe we were a little bit in denial. Because it's not part of our lifestyle. Neither of us have grown up with violence or drugs in our family, and I suppose we just got on with life and thought it would never happen to us. Until we went there for two weeks and looked at things. It was the worst two weeks I've ever had in my life. We stayed in the house, because I just couldn't even leave the kids there for an hour with her in what I saw...The things that went on were absolutely horrific. She'd leave Kelly sitting in the bath, who was only four, and the water was rising up and she'd go out and make a cup of coffee. Kelly would scream in the bath,

terrified. We had terrible trouble with Kelly at home after that. Kelly would hide in cupboards, Max would go downstairs and hide in the laundry. All their mum ever did was scream at them. That's when I made up my mind that there was no way on this earth I would just leave those two children. I wouldn't care if I had to go and live in England or New Zealand, I would take them and that was the end of it, and they could do what they liked.

Michael: Yes there were a lot of things we saw there, but I suppose the most moving one was that Max was hiding, finding places to be out of the way in the dark. And on occasion when the mother turned on Kelly the younger one, Max would then stand between them to protect her. So we decided that we had no real choice, and we contacted the equivalent of DoCS, the branch in that state, and also went to Legal Aid for advice. We had a discussion with our daughter, and she eventually agreed that they would be in our care. And then we waited for her partner to come back. And when he arrived, eventually he agreed to the children going. We left the next morning, with some trepidation because we weren't sure we were going to be able to get out of the house with the kids. We drove back home with them. We had no furniture or clothing for them. We needed school uniforms, food, an extra bed, so where do you go and what is there? We knew absolutely nothing. We eventually got a bed from community services, they also gave us some food vouchers. We started immediately to organise school for them.

So what was it like for you?

Barbara: We were both very independent people, we travelled overseas a lot, to places like Nepal, Mongolia, Central Asia, with just a backpack. We did the Trans-Siberian railway. We both did voluntary work, Michael was a storyteller and we both taught English to migrants, and we were enjoying life. We never ever expected this to happen. All of a sudden your lifestyle changes so dramatically. I mean we had friends, we'd go out to dinner with them, they'd just pop in, nothing formal, we took it for granted. Very good friends, actually. But all of a sudden by night time having these two

**All their mum
ever did was
scream at them**



capturing carers stories

michael & barbara

She would get up and come in to see us three times in the night when we first got her and that went on for five years

children and running around with them we were so tired, and we didn't want to go anywhere. And our friends would say "come over to dinner and bring the children". Well we did that for a while but all their children had grown up, they had forgotten what it was like. They ignored our two children, fair enough, I'm not blaming them. So they'd just sit them in front of the TV, and the kids would play up. We got to the stage we just couldn't do it. Or they'd pop into our place just to have a chat and say hello, and they'd just stand and want your full attention and talk while these two kids played up, and played up...And you were flat out. It's not like having your own children where you can still do things and it's more relaxing. Because these kids have been traumatised they've got a lot more problems than your own children did. And you're trying to find out what's out there that can help them. They need help. I can't do everything for them, they need counselling, we need counselling.

Michael: She would get up and come in to see us three times in the night when we first got her and that went on for five years I suppose, it tapered off very very slowly.

Barbara: The other thing we found with our friends who had had children previously, they didn't understand why we had these children. If ever I complained about how tired I was, "well send the children back, they should be with their mother and father", and I found that extremely hard. And because you're flat out all day trying to organise things and do things, you gradually start to lose these friends. We found about five or six people who were very supportive, caring, who understood, and they were just magic to talk to, or they'd come and take the kids out to the movies or the park for the afternoon. They didn't need an explanation. We became friends more with the parents of the other children at school. We've never ever felt that there's an age difference, a generation gap. The children have never made us feel that either, we call ourselves Barbara and Michael, the kids at school call us that, the teachers call us that, our two grandchildren call us that, and that's what we are. The parents at the school are wonderful, but they still don't understand it all, they see Max and Kelly as two lovely kids who

go over and they play with their kids, and they're friends, and Max and Kelly are two lovely kids. If they walked in now you'd think they were too. But they don't see all the things that we're living with and the help they need, and I think "oh yes they're not just two lovely kids like your kids".

One of the hardest things that I find to live with, with these children is homework. You've got to sit with them, you've got to help them, it's a nightmare. Because with our three children they were all bright kids. Homework was a non-issue. They just did it. As you know, all the intelligence for a child is gained in the first three or four years of their life. These kids have missed out dreadfully and it's very very obvious because they're very bright kids but intellectually they have major problems. Max has problems with his English.

Michael: I think Kelly is stunted intellectually. She tries so hard, she's got a great teacher this year, and she will do her homework come fire or flood because she likes her teacher. She works so hard. And I think another of the burdens Barbara finds is she has to provide two lots of meals in a day. With your own children they grow up eating what you eat, but we got these children aged four and six and they wouldn't eat anything that we were eating so Barbara has been providing two lots of meals and that has continued.

Barbara: Another thing I found very very hard was, for all the years you're rearing your own children it's all kid talk, which at the time I didn't find hard because it's just part of life. But then we had about ten years after retirement when it was great because we did interesting things, for the first time we could sit down and discuss things, and then all of a sudden we were back to this talking about the kids. It was so boring. At our age I didn't want to do it, I really didn't. But at the same time if I hadn't had Michael I don't think I could have done it because when the kids went to bed or to school, you just sat down and debriefed one another. You had someone you could say anything to, even horrible things like I wish my daughter was dead, I wish she'd drop dead. And we can say that at the Kinship Care meetings. You can't say that to your friends, they think you're absolutely horrible. But I have



**And I tell
you having
to serve your
own daughter
with an
affidavit....it
was horrible**

wished our daughter dead many times. Even today. It would all end, there would be a closure to it.

Michael: Yes, a psychologist told us you will grieve for years without having any closure. Where if the mother had died you'd all cry, it would be very sad, you'd have the funeral she would go and then time would eventually heal that, and there would be a closure.

What about the financial strain?

Barbara: Well it was a dreadful shock because we're both retired and we do have a little bit of superannuation thank God, and we do get the part aged pension. We had our lives mapped out a little bit, about how much you can afford, how much travelling you can do, or whatever you want to do. But thank God we do own our own home and furniture. But all of a sudden two children come upon you who are much more expensive than the two of us living together. As everyone knows kids are very expensive. So it's a big big shock.

Do you have legal custody?

Barbara: It took us about two years to get legal custody. We got very frightened because we had a couple of phone calls where the father said he was just coming down to take the children. I was petrified because there was no way they were going to go home, as I said I would have left the country. And we were told that even if he came and got violent or took the kids the police would not do a thing because they're not our kids. But if we have a piece of paper the police will move in and support us. So we decided to do something. It didn't cost us anything, there is help out there, if you know about it. But how do people like us know about things? Michael and I are capable of ringing around and finding out, but there's a lot of people who can't do that. And I tell you having to serve your own daughter with an affidavit....it was horrible.

What sort of supports do you have?

Barbara: Thank God we've got two other children who are very understanding. We have never had any problems with them about us having these children. They understand that

we just can't give them the time that they'd like for their children. But it's an awful feeling for us as grandparents not to play the grandparents' role to their children as much as we'd like to...

Michael: Or to these children. We're not grandparents to them. But we've had other support. When we first got them we took them straight across to the hospital to have them assessed and through their help we got counselling from a psychologist. She was a play therapist and she had a sandpit inside her room and she would just simply let them play. She sat and watched them, and then she would ring and she'd talk to us about the things that she saw. And that was so enlightening for us, we started to understand a little more about the complexities...And Barnardo's Friends, they found two people that come in and take the kids for an afternoon. They've been great on that one. And occasionally they ring up from Barnardo's and talk to us. Then there was a Carers' Association, we ended up with a housekeeper for two hours a week that they supplied.

Barbara: We're of the generation where you don't ask for help. We were doing voluntary work ourselves. All of a sudden it's hard to become the one asking for help. I found that extremely hard. But Barnardo's and Mirabel are the two organisations, if I've ever got money, when I die I'll leave it to them. Mirabel is a foundation who support kids whose parents have been on drugs, they want them to have a normal life, to have all the benefits that other kids have. They will supply counselling, music lessons, sport camps, they don't want these kids to miss out on anything.

Michael: What else? Someone comes in from Home Care for two hours a fortnight to clean the house. Then there's Kinship Care...

Barbara: They're wonderful, they really are, and it is still good to keep in contact but it's more just a social group. I'd like more of the political side of things which I'm very interested in.

Michael: But one of the good things about meeting in a group like that, you hear stories that break your heart. But



they have been past all the pain and the agony and they can now laugh about it, which I think is a salvation. If you couldn't laugh about it, you'd go under. I'm quite sure there are a lot more grandparents around here raising children. It needs to become bigger.

What's the children's relationship like with their parents?

Barbara: They didn't see them initially. But for the last four years they got into a pattern of going to visit in July and then again for a couple of weeks in January.

Michael: They go there for a holiday and they have an absolutely wonderful time. That's their Disneyland. But we can also see that this is where they live. For instance we heard Kelly say "oh it would be good if we could go up for all the Christmas holidays" and Max said "no a fortnight...I want to come back and play with my mates.." He's got things he does here, but he's also torn because he's very loyal to his mum. We were very careful always not to ever rubbish their mum or their dad. If we ever said anything against them the kids would very hotly defend them. The advice we got from the child psychologist who saw them when we first had them assessed was that the kids really need to see their parents, they need to know who they are and where they come from and everything that's going on. So we've maintained that. But the kids are in a funny position. We think they are in some sense in denial ...



Barbara: Yes, we had a little talk about twelve months ago about their parents and why they lived here, because they were asking, and we said "Dad doesn't have a drug problem but he's violent", and we were big bad wolves, they said "Dad wouldn't do that, Dad is not." So they are still in denial, and from what I've been told with kids in denial you've got to treat them very very carefully.

There's been a change in the situation though?

Barbara: Yes, recently we got a phone call to say our daughter was in hospital, and eventually it was diagnosed that she had

brain damage, she couldn't walk, she couldn't use her arms, she couldn't speak, she couldn't watch TV and she couldn't read, and she was a very intelligent person. And all because of alcohol and popping pills. So we were absolutely devastated because up until now, even though we had always tried to help her and she has kept in touch with us, you also have to put up a wall between her and you because you just don't have the energy to keep worrying about her as well as rearing her two children. You get hardened, you learn to block a lot of it out, you just can't cope with it all. But all of a sudden I discovered I was back worrying about her even more than these two children. I lay in bed two nights planning her funeral, that's how bad she was. But somehow or other she pulled through.

Michael: She has brain damage from alcohol abuse. It usually happens to older people when they've been at it for a long long time. In her case, 38 is a bit early. The prognosis is very unclear. We don't know, we just simply wait now. So she spent six weeks in bed. Now she's in rehabilitation.

Barbara: We've been told if she goes home her liver is so damaged now, one more glass of grog and she's gone. The doctors have told her that, and us that.

It could be a turning point, or what's even worse is that she'll have to go into a home because she won't be able to look after herself. That will really affect her because these homes are for old people and she's only 38. Not very nice.

But in a way for the children, this put the icing on the cake. We used to explain to them why they didn't live with Mum or Dad, and I don't think they understood, because they would go there and Mum and Dad would give them a wonderful time, and at times she would improve and she does love them, but this time they saw her. They could see something has come out of it all...and the mother doing this to herself we can see has had a negative effect again on the children.

How do you survive?

Barbara: You just learn to not let some things affect you. I think it must be human nature, you can take on so much but

You get hardened, you learn to block a lot of it out, you just can't cope with it all



capturing carers stories

michael & barbara

You've got no idea how much we don't want to be leading the life we're leading. But there is no way I will ever give these kids up

then you learn when to just shut a lot of it out. You can't take it all on, you just can't.

Michael: And you can't really stop. I mean we started this and we talked about it before we took the kids. We understood that this was it, you can't half-take this on, you take the kids, then you take the kids. So you don't really have an option. You have to keep in mind that you're doing it for the children. We would get into a thing over the phone at times with the parents and you'd finally say, we don't count, you don't count, the children count. Let's think about the kids. This is where it all starts, we're just simply people standing around the outside. The children are it.

Barbara: But I have to tell myself that at least once a day. I don't care about all these people out there telling me I should send them back, I don't care about their feelings and thoughts, I'm doing it for the kids. And you have to focus on that or you'd go under, or I would. I mean we really really really don't want to do it. You've got no idea how much we don't want to be leading the life we're leading. But there is no way I will ever give these kids up. So it's a horrible situation to be in. I mean Michael's 72 and Kelly's 11. And that's another big issue. When you're rearing your own kids, nothing's ever going to happen. We were young. I was always of the opinion that nothing was impossible in life. If you wanted to do something, you could do it, and we did do a lot of things. Nothing stopped us. Until we got these children. And for the first time in my life I was doing something I nearly found impossible. And don't ask me why it's hard, I've tried to work that one out in my own mind many many times. Why is it hard? All I'm doing is rearing two children, I've done all of that before and it wasn't hard. But I think psychologically and physically we're not designed at our age to do all this again. We get grumpy, which we wouldn't normally be, but we do with these too now.

Michael: And they're normal kids coming in to teenagers, doing all the things that teenage kids do that would drive you up the wall anyway..

Barbara: I never felt old and age didn't mean a thing to me, I didn't care what age anyone was. But when we got these two children all of a sudden we were old. Heavens, we can't get sick, one of us can't go to hospital, what if one of us dies? What if we both get killed? We're getting older and we're getting into the 70s, that's when things do start to break down for people and people do start to die. We can't. We've got to be here for these kids.

Are there any rewards?

Barbara: When we first got the children, after a little while Kelly started singing and Barbara said "did you sing to your Mum?" and she said "no, but I can sing here." And she now whistles as she goes around the place, some of the things that she's learning. When we first got Max if he got put out at all he'd go straight down the corridor to his sister and take it out on her, almost as a matter of course. When we moved up here we were blessed with a teacher who was very enlightened, and got Max to understand that he just simply had to get hold of his anger and to control it. Max has got hold of it, he's actually settled down quite a lot, he still stands over Kelly at times, but he's not as physical as he was, and you can see there's an improvement, you can see the change. Max is actually a very soft-hearted kid, he's a very kind sort of kid. And he's started to learn the guitar and at first nothing was happening and all of a sudden something has started. And so you can see things have emerged that I'm sure would never have. So yes there are positives. I suppose our problem is do we ever look at them?

When we first got them they ate with their hands, they spread food around the table like a kid in a high chair, and that went on forever. They'd never sat at a table and actually consumed meals at set intervals. They complained bitterly because here the tea goes on the table at night at 6 o'clock. But now they like the order and the structure. If you change it at all, there will be a protest.

We read lots of little signs that this is where they live. They can be terribly unhappy about living here, but you can also see that they like to be here.

**Did you
sing to your
Mum, no,
but I can
sing here**



capturing carers stories

michael & barbara

I think the biggest thing is, we have broken the cycle and that is a wonderful feeling

Barbara: If Kelly and I have words together, she will go away to her bedroom and write a note, and bring it to me. “ Barbara I am so sorry”, really sweet words. And when they come back from being away, Max will just rush us at the airport and give us a great big hug. And putting them to bed, if one of us doesn’t go in, Kelly will wait, she gets very upset, “no, no where’s Michael? I’ll wait for him”. Then if by any chance I bypass Max he’ll always get up and say “Barbara I’m going to bed now, I’m going to sleep”. He won’t say “come and tuck me in or give me a kiss”, but I have to go in and I do give him a kiss on his head. And they both bring their friends home here, to play here. Which is awful for us but it’s lovely.

Michael: I suppose they can express themselves here as much as anything. Early on when we first got them all of a sudden they would turn on us and give us a serve and we discovered in fact that this is a sense of their confidence in being able to express themselves. They don’t have to shut up. They can be.

Barbara: And when they were little they used to skip and they still can. You know how kids skip along? Little happy things, so yes it is lovely to see them doing things like that. But I think the biggest thing is, we have broken the cycle. These kids will go to the grave with a lot of these problems that they have, no matter how good a counsellor you have, how good a psychologist. They are what they are because of the first four or five years of their life. No one will ever take that away. But I hope that by the next generation, their kids, it will really be gone. But yes, we have broken the cycle and that is a wonderful feeling I can tell you.

Michael: We’ve got a fairly good idea what sort of existence they would have had if we hadn’t removed them. We’ve given them a chance. They’re still also going to have to pedal their bike.

Barbara: But even if they don’t pedal it properly and they go off the rails, they’ve still got this time with us, they can always look back at it, at the more positive times. So no one can take that away, ever.

Iris

“What would I say to someone who was starting out? Sometimes I’d say well just take it on and join a support group and get as much help as you can, and in another way I’d say run for your life because you won’t have one. You just do it, when it’s your family. Yes, it is a sacrifice. What else would you do?”

Iris is a single grandparent aged 62, and has two grandchildren who are in her full time care: Chelsea aged ten, and Ben aged seven. She has also brought up another grandchild who is now an adult. Iris has recently suffered a breakdown and been hospitalised. The children have been in care for three weeks so she could rest. She is still tired but trying to “take things easier”.

How did the children come to be in your care?

The grandchildren had been under DoCS for a few years, because of drug and alcohol and sexual abuse which had been going on and then things got really bad and the police and DoCS brought them here one night. Before that they’d been coming and going from me then back home, so this time I said I didn’t want them until there was a court order that they wouldn’t go back to their parents. I just kept them overnight and DoCS went to court the next day and the children went to foster care for four months. Then I went to court to get them because they were getting abused in foster care. I had to be court assessed first and they allowed me to have them when final orders were made through the courts.

What was it like having full responsibility for them?

It was a nightmare because they’ve both got a lot of behaviour issues and they’re ADHD (Attention Deficit Hyperactivity Disorder), and ODD (Oppositional Defiant Disorder). They’ve been really traumatised from living at

I went to court to get them because they were getting abused in foster care



capturing carers stories

iris

They used to just trash the place, break things, sneak out in the night-time, raid the cupboards, cut their sheets, cut curtains, break windows

home. They used to just trash the place, break things, sneak out in the night-time. Because they hadn't a lot of food at home, the older one would raid the cupboards in the night or store food in her room, they drew all over and cut their beds and cut their sheets, cut curtains, broke windows, they were just really full on and you just don't have a life any more.

I'm by myself so you haven't got anybody there to back you up. You don't get a rest at all with them. It was alright just being a grandparent and having them school holidays, or weekends or a night through the week but when you've got them 24/7, it's just a different story, you're just going from daylight to dark.

Chelsea, she'd steal anything and hide it, from school, from shops, other people's place, from home. I've told her I've put a spy camera in my room so I'll see her if she goes in there and I've bought a locked cabinet that I have to put my purse in, or anything that I don't want her to touch. I'd have to go through her pockets and bags going to school, and the same thing when she came home, same thing if I took her to the shops, and then I'd do the same coming out. And you've got to watch her, make sure she stands beside you at the shops, otherwise she'll take off and go to the lolly aisle and open chocolates or lollies and eat them or put them in a pocket, under her arm or in her pants or anywhere. And then I frisk her and take her back to the store and get someone from the shop to talk to her about it.

So you must be very limited where you can go with them?

It's very hard to take them both to the shops because they just run away, won't stand with you. Or to go somewhere to eat is a bit of a nightmare. The little one runs around everywhere and jumps over or pulls faces at people. There's one grandparent that I go to visit maybe once a month and take the children, because she knows what the children are like, and they'll play there with her grandchildren that she's raising.

I'd already had one of the other grandchildren live with me for quite a number of years, their older sibling, but it was okay because I was a lot younger then. I had more energy and I could still have my own life, I still played tennis and did walking or go away for a weekend. The older one is a lot different to the little ones and never had any of the problems that I've got with them. We had lots of holidays away and it was a lot easier. And then he stayed with me and did year 10, 11 and 12. He works full time now and he's really good.

Have they improved since they've been with you?

A little bit. But you just try to get one sorted out and then the other one will start up, so you're just backwards and forwards from one to the other. We've got counselling in place now and the kids are on anti-depressants, and they've been a little bit better since they've been on that. Ben is not using his foul language or throwing chairs around and just dismantling the place every morning and every night, and Chelsea seems to be starting to talk about feelings a bit more. They're getting help in counselling to do with feelings that they'd pushed down for a long time.

What is the legal situation?

The Department have parenting responsibility to the Minister, and I have day to day issues like education, religion, culture and minor medical and dental. I did it that way because I knew these children have got a lot of issues that I wouldn't be able to deal with, so to have them on board is a great help so that they can get me into services that I couldn't do myself. I usually talk to the case worker every week and she comes twice a month to see the kids, and we have a case conference every three months, with services that are all involved with the kids.

Do you get any respite?

I get respite now and then through the Department, and they go to a camp for a week in the school holidays, so really that's the only break that I get. I find when they go away for respite and then they come back I have a lot of problems



We found out that one of them has got chronic Post Traumatic Stress Disorder and is very depressed and was suicidal

with them, and its like they don't know when they go away whether I'm having them back or not, even though I tell them that they're coming home and we all need a little holiday. Sometimes respite is worth it, yes, because I need the break desperately, and sometimes I think it's not. But camp is really good because they're known out at camp, and they've been going for a while to the same camp so they're usually really good out there.

What other supports do you get?

I don't get a lot of support. Nothing in-house. But we're going to do a family program at a centre for children who have behavioural problems. We went for a week before and I was really run down, I wasn't coping emotionally or mentally and it was just really bad. The kids were both full on there, running away and jumping out windows, and throwing toys and jumping off furniture. I was walking around more or less in a daze there the whole time, just trying to keep it together because I was at a point where I was thinking of handing the children back to the Department. And I've decided since we're all on medication now and feel I'm coping a bit better that I'll give it another try and go back there. I could see changes in the children when we came back, it worked, so I think it should go a lot better next time. They'll go to school there through the day and we have individual counselling, family therapy, play therapy. I'll have staff with me all the time watching the children and watching how I interact with the kids, and they will give me ideas on how to manage them better.

Since I've seen what they do there, I think if we had done that a lot earlier I don't think we would have had as many problems as what we've got now. They can only take two families at a time and we were on a waiting list. You can wait 12 months or more to get in there. Eight months or more after I got them, we did have a counsellor come to talk to me about their behaviour to try to give me ideas how to manage it, but I don't think that worked. I think the children needed

to be assessed. We found out that one of them has got chronic Post Traumatic Stress Disorder and is very depressed and was suicidal. It would have been a lot easier if it was put in place in the first few months that I got them. Because none of us grandparents are going to get children just coming from a normal household, they're going to have some sort of problems with them, some more severe than others.

How do they go at school?

They don't cope well at school. They've got programs going for them both. One has had a lot of behaviour problems and has had to have support to integrate into the playground and play with other ones. Chelsea was stealing and lying a lot at school and was getting into trouble. They get other support funded by the Education Department because they're about two years behind in their work. The staff at their school is excellent. I know most of the staff and they know the kids and the situation and the school has been really helpful in everything with them since I've had them. But I feel some of the parents don't talk to me probably because I'm older, and some of them have grown up with my own children so it makes it a bit awkward. But I'm involved in the Aboriginal program that they have running at the school. So I see all the other Aboriginal parents that go and I talk to them.

What about Kinship Care?

Kinship Care is really good because you've got other grandparents you can talk to about issues coming up, how you're stressed or you're tired, you've lost your life, lifestyle what you used to have. And they put on outings where you take the children, so they can mix with other children that are living with their grandparents so they know that they're not the only one. And I found that's very helpful for my two because there's not a lot around here for them. They love going away and they get to know the other grandparents or the other grandchildren. There's just so many grandparents out there now raising grandchildren. Without that support group and the help and the outings and everything that I



get... it just makes it a lot easier that you know that there's other people going through the same thing as you. I look forward to going and just having a chat to everybody. I always make sure that I go to the meetings.

What have you given up?

My whole life. And that's where I need to try and get a balance because I just felt I was snowed under with the children and their behaviour. Going to speech therapy with them, counselling, trying to get homework done was just full on, but I just lost myself and haven't got out there and done anything for myself. I don't have a social life. I miss that. But it's a bit harder when you've just been in with grandchildren all the time to put yourself back out there again into different organisations or seniors groups. What do you talk about then because all you've done is have kids? I used to visit my other older child that lives in another state and see grandchildren there which is very hard to do now that I've got these two. I have to take them with me so it doesn't give me a chance to just spend time with my other grandchildren and be a grandmother. And when I do go I'm really tired. And it's put a division between my daughter and my other children. I have three other children. It just makes it really hard on everybody. Chelsea always says to me that she wishes I was just her grandmother now, that she liked me better than being a full time parent. I'm tired so I can't be running around playing with them like I would if I just had them over once a week or for the weekend playing football or playing on equipment at the park when we go.



How do you manage financially?

I get an allowance each fortnight from the Department. I was a single parent for a lot of years, and now that I'm raising the grandkids I seem to manage financially okay, probably because I've been used to budgeting. I live in a Housing Department house. I moved from one Department house over to this area to be closer to the children, and I'm down to move again because the children's mother lives close by and

it really emotionally is not helping the children that they can see her house. It's getting less and less each time that I see her or have contact, the longer I've had the children. I never got along with her partner and the children aren't allowed to see him. They don't see her either. That's her choice. She's got to make an arrangement with the Department and see them through there, because she was just turning up here whenever and it put the children way back, they would be really traumatised after she left. She'll always be their mother but I was just hoping that she could get to see them from time to time, it would be a lot better for the kids when they get older if they were having some sort of regular contact with her now.

How do you get through?

I just try and take each day as it comes and think that tomorrow is going to get better. I don't know, I just do it. Probably because I was adopted and I know what it's like growing up not having your own natural family around. I've been adopted twice so the first time I was only a baby, and the second time I never got on with that family, and I don't have anything to do with them and haven't for over thirty years. I think family's always been very important to me, I've been through a lot of bad times with my own children and I've always been really close to my grandchildren as well. It makes it hard for me to think about giving them up, wondering what they will go into. And would I be able to have contact and just be a grandmother like I'd want to be and be able to have them for a day or a sleepover for a weekend, not just to see them once a month, still have involvement with them. And they're finding it very hard to even get any respite let alone permanent care. There's nothing around out there.

What makes it worthwhile?

I just can't see a lot of positives, but I've been told by the school and the Department and the counselling service, that the children have come a lot better since they've been with

It just makes it a lot easier that you know that there's other people going through the same thing as you



capturing carers stories

iris

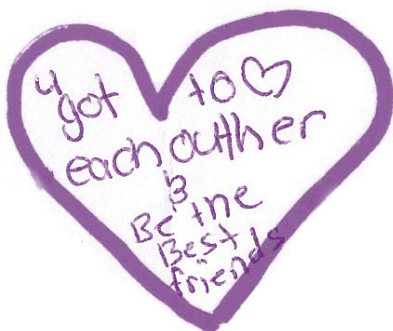
Chelsea will say that I saved her, I saved their life

me. Where probably because I'm with them all the time I don't see a lot of the little things with them. Chelsea will say that I saved her, I saved their life, I've saved them from being in care and now they go to school every day, they can have holidays and go on excursions with school and do a lot of things. But I hope that they can just grow up and meet their own potentials in what they want to do in life. Try and get an education and catch up on things and just try and get a better life for themselves to help them in adulthood.

What would you say to someone who was starting out?

That's a hard one, it's good in one way and not in another way. For me I probably knew that this day would come because it doesn't happen overnight, because either through drugs or alcohol or mental illness there's always been ups and downs, right through the children's life until you get them. Sometimes I'd say well just take it on and join a support group and get as much help as you can, and in another way I'd say run for your life because you won't have one. You just do it, when it's your family. Yes, it is a sacrifice. What else would you do?

Since this interview was recorded Chelsea has been removed from Iris's care and placed in temporary foster care because of her dangerous behaviours. Ben is still living with Iris, but due to emotional strain is considering whether she can continue as his full-time carer.



Richard and Peggy

“You’ve got to take them on knowing that it’s a tough job, it really is a tough job, and you’ve got to be able to deal with them. You’re not as strong as you used to be so you need rest, you need to keep fit and healthy so you can deal with it. Because it’s really difficult. And I think you expect too much sometimes, you think these little darlings just need to be loved and protected and they’re going to be perfect. And they’re not, there’s going to be difficulties all along the way. You’ve got to be ready for that.” Peggy

Richard (68) and Peggy (65) had raised five children and were both in retirement when they accepted care of their daughter’s two children five years ago. Phillip is now 15 years old and Annie 13.

How did you come to have the grandchildren in your care?

Richard: The children’s natural father died and my daughter took up with another chap who was a friend of his. They got married, and it must have been at least a year after, he upped and took them away into a country area. When we visited them we noticed unusual things. They were living in poverty really, and the children started saying things to us about what was happening to them. So we started writing to DoCS in NSW, telling them what the kids had been saying to us, about the boy being dressed in a dress, thrown into a dam fully clothed, falling off backs of trucks. The stepfather had backed over the young girl, luckily the wheels didn’t go over the top of her, and the boy was thrown against a wall. And psychological things too, this chap would invite his friends up for a party, and if Phillip had been crying or something, he would make him dress in a dress, humiliate him. We were worried, and we were continually writing to DoCS but we weren’t hearing back from them. Eventually they moved up to Queensland, which at the time had a better reporting system



capturing carers stories

richard & peggy

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He had moved them from school to school, in the end they had been to 24 schools each, up to Year 4

than NSW, and the schools got onto them. He had moved them from school to school, in the end they had been to 24 schools each, up to Year 4. Consequently their education was hampered and it's taken them a while to catch up again, and its still not quite caught up.

What about your daughter?

Richard: My daughter had left her husband eight times and come down here quite often. This is when we heard a lot of the stories. But she kept going back to him. It made us all the more upset each time she went back. She's not alcoholic or drug dependent, she's just slightly mentally handicapped, and people take advantage of her, and this is what this chap did, he knew he could control her, make her feel useless. But he threatened to throw her off a bridge, so she left him for the last time, and I believe she hasn't been in contact with him since. The children were taken off them then. DoCS came in and made them wards of the state.

Peggy: Five years ago at Easter we got a message saying "the kids are in care and I'm in a refuge." What we didn't know was that the kids had been in foster care for almost six months and no one had told us. These stupid privacy laws that don't allow us to be told unless the mother allows it, and of course she was still with him so she didn't allow it... Anyway I got in touch with them straightaway and we wanted her to live here with the children, but she prefers to live in Queensland. So I went up there and I collected them and I brought them home and they've been with us ever since.

Richard: The foster carer had taken both Phillip and Annie but then they had to separate them, and the one where Annie went, she had eight children in her care, and Annie had nits and worms when we collected her, she had not really been properly cared for. If she'd stayed in foster care I don't know how she would have turned out.

What's that been like for you having the grandchildren?

Richard: I'd been retired at that stage four years, and we'd got used to having our own independence. All of a sudden we've got two children we've got to raise. A lot of our friends didn't

understand, we just can't mix with them too easily because they want to do things and we can't because we've got to be home at certain times. So consequently we try to keep our normal lives going, but we haven't got the same sort of friendships now we used to have. They've gone their own way. That is a bit of a disappointment, we feel a little bit angry about that, but we're prepared to do what we can for the children, which is sometimes very difficult.

I've got some good friends now, acquaintances...I go up and play carpet bowls on a Friday afternoon and we keep in contact there and I can talk with them and they listen, that's all they do, they don't offer any advice or anything like that. So that's a sounding board, that's good for me to get out there. But we can't go away on the spur of the moment, get cheaper accommodation in non-school times, and that sort of stuff.

We're okay financially, the money we get from DoCS probably covers some of the holidays and whatever, because we treat these kids the same as we treated our own children when we were raising them. We don't want them falling behind or being deprived. But personally it's curtailed our lives a bit. We had all sorts of plans to do things, and we do still get away, we have been overseas a few times, luckily we've got four other girls who've been prepared to care for them while we've been away. But other than that you can't just up and go, you've got to be around the house. They come home from school, you've got to get them up in the mornings, which is the hardest thing, no more sleeping in...

You weren't expecting it were you?

Peggy: No, we raised five children and we had to see our youngest through university so we had to stay at work for a while and then we stopped and we thought "oh we have a life". And for about four years we had a life. But there's no option. People say to me "oh you're wonderful, you're marvellous for what you're doing" and I say "no I'm not". There's no option. You don't let the children live with strangers. The other girls offered to have them, but they'd have been tacked on to their family, and you can't let kids grow up like that. So when they rang me and they said "will you have them?" we just said "yes". And I thought



And sometimes you worry because you're not young. Are you going to live till they're grown up? What's going to happen if they lose another parent?

what are you saying? But a lot of things in life you've got to do. We've never had it easy. We don't have mothers, we lost our mothers early, you know. We had an invalid father for 20 years who lived here with us, we have a minimally handicapped child for whom we could get absolutely no help to speak of. So you just have to battle on. The freedom we have, we manufacture that. It's harder to organise your life so you can have a little bit of what other people our age have. You can't sit around and whinge, because nobody wants to hear you whinge anyway. You just have to get up and do the job. And sometimes you worry because you're not young. Are you going to live till they're grown up? What's going to happen if they lose another parent?

Are there special challenges bringing up the children given what they have experienced?

Richard: Yes. When the children came to us Phillip was angry. He took his anger out on his sister. Annie was withdrawn, they were nearly opposite ends of the scale. So we had to get counselling for Phillip, and for Annie but it didn't help her at all. Phillip hated counselling anyway, he still hates it, he resists anything like that. And Annie, we've tried to bring her out of shell. She still doesn't have any close friends, doesn't mix with people, and that's a worry to us as much as Phillip is a worry to us by roaming the neighbourhood and staying out all night. He doesn't seem to be able to keep friends either, so we're still struggling with him and then trying to appeal to his better sense. Sometimes we think we're getting through and then other times he just goes off the rails again.

He is quite intelligent. He will wag school, space out in the classroom, disrupt the classes, but overall he's a very intelligent boy who, if he could apply himself, would do very well in life. He's got a goal to be a mechanic, and we're encouraging him, so that's a plus for him, but to keep him on the straight and narrow that's the difficult side of it. And because he's been damaged physically and mentally so much, whatever we say to him just rolls off his back. Lately with him staying out overnight with people we don't know or who he might have met in the street, we warn him but he doesn't care. He's been hurt

so much that no one else can hurt him. Punishments mean nothing to him, even with the school. He seems to be a typical teenager that way, who's pushing the boundaries all the time... And unfortunately he's mixing with people at the moment who are known to the police. He's already been picked up by the police and he's got a \$400 fine which now he's got to pay.. And if he doesn't pay it, it could affect his future. Because he won't get a licence if he doesn't pay it...

We don't know what to do. I don't think even DoCS know what to do, the only solution for DoCS we've been told is put him into a refuge. So we're torn, we sometimes don't want him here, but what's the alternative, no one wants him. That's hard...we still want him, we still care for him, we still love him, but he's very difficult.

Peggy: You devote your life to your children to a certain point in time, and then they go off and live their lives and you have a life. And there is a certain amount of resentment in my heart because we can't do that. Now if that were an investment we were making in their future, and we were sure that they would come good and they would be like our own kids, there wouldn't be a resentment at all. You think "Have we wasted five years for this boy to go off the rails?"

What about Annie?

Peggy: Oh Annie, she's quite a character. She is coming out of her shell though. I never thought I'd be glad to hear a child give cheek. And sometimes the way she answers you after you've said something 15 times..... She is very quiet, she did have a very close friend and she gets on very well with one of her cousins. But she got bullied at school. But Annie's really no trouble. She's a nice girl, but she forgets.....it takes a bit of getting through. But I think this is the withdrawal, because she had to protect herself quite frankly when she was small. And it's a pleasure to be with her. She and Phillip get on pretty much. They'd gone out on a KAOS* (see p80) outing one day with Kinship Care and he said, "gee I was happy today, she really enjoyed herself". I thought, "where is this kid coming from? One minute he's so involved in his own world that nobody else matters, and then he thinks about his sister, he can't be all bad."

**He's been hurt
so much that
no one else can
hurt him**



capturing carers stories

richard & peggy

* Kinship care - Adolescent - Out of home-Support, a program which provides support and recreational activities for teenagers living in kinship care.

When did you get involved with Kinship Care?

Peggy: Right at the beginning we went up there and we found it good. I looked at people who were doing what we're doing and thought "how do they do that?" And people say that to *me* now. But you don't know until you're on the spot I think. And it's good to have people that you don't even have to explain how you feel. You can say something like, "I'm going to kill him next week", and they will understand your frustration completely without you having to explain it to them. Or they won't think, "Oh isn't she a dreadful woman."

Richard: Yes, it's been helpful to talk about your frustrations with the children. KAOS has only come into our lives in the last year, but the children have been taken off our hands a few times to all sorts of events, and there's still some more coming up. I think the money runs out in the end of June, so we might once again be back to square one where you don't get the respite.

Do you get any other respite?

Peggy: No. We can, but only from our children. They would look after the kids if we asked them to. Because we mind other grandchildren as well as these two. We've been minding three small ones for four hours three times a week...It's hard to get your other grandchildren balanced out with these grandchildren. Because they will notice if you give more attention to the ones that live with you. When they're all together you have to treat them all the same. It's a totally different relationship we have with Phillip and Annie. We love the other children a lot, we laugh with them and joke with them and they're lovely kids. But I think sometimes our daughters resent it. And they certainly resent Phillip putting us through any real hassles. They resent his attitude sometimes because he just doesn't care for us, and they understand how upset we get. But they love him too, they think he's a bit of a con artist actually.



What do you draw on to survive?

Peggy: I think we're just of a stoic generation. It's not the worst thing that's happened to us. So you just think, well it's got to be done, do it, don't whinge, get on with it. That seems to be the way we live our lives generally speaking. And then with the joyous bits of going overseas for a couple of weeks and seeing the beautiful architecture and art... We like the same things, that's very good, that keeps us going too. The respite that we get.

Richard: And also my philosophy is, everything passes. These children will eventually grow up, they might put us through a lot of hell but hopefully they will come out decent people at the end. They might not reach their goals that they're aiming for but hopefully they will be happy people, and get over what they've got. We also have a sense of humour...

Peggy:you can't live without one. And we get involved in lots of things, we always did. But I think we argue more. We never used to argue. It's a bit of stress from the kids, but it's not down to them entirely. I think we can compartmentalise our lives to a degree, which is good.

What's your relationship like with DoCS?

Richard: They're in the care of the Minister. We're foster carers so they could take them off us if they wanted to. Our relationship with them is not too bad at the moment, I think the young fellow who's the caseworker is well-meaning. He's responsible for them, but he might only see them once every couple of months if he's lucky, where we live with them all the time, we know what they need and want. But he just goes by the rules, if the rules say he's got to have this, he's got to have that. We don't agree with some of the things he does, because the kids aren't ready for it, or they need more supervision. That's the kind of conflict we have with them.

Peggy: It was DoCS that insisted Phillip have an allowance. \$90 a week, it's taken from our family allowance and given to him, but a day after he gets it he's got no money left. This is when all the trouble started, when suddenly he thought he was grown up, he had his own money, he could do what he liked. He smoked. He'd obviously bought grog. And this is only because he had this money. We said no, we want him to

They might put us through a lot of hell but hopefully they will come out decent people



capturing carers stories

richard & peggy

get a job. He applied for one or two jobs but he didn't carry it through because he doesn't need to, he's got the money.

I think that DoCS... I call them kids, they're lovely, but they really don't have a clue. I think they're trained to believe anything the kids tell them and you can't do that with teenagers, we've learned this haven't we?

Richard: No. There's a thing they call tough love, you've got to keep saying no. "No you're not doing that, you're not doing this", it's your favourite word after a while. And he'll try and separate us into agreeing to what he says... If he doesn't like our rules here, and he stays out, we're not going to bend over backwards doing things for him, so we say no. A bit of give and take. If we see there's something constructive in it then we'll help him. But we say "well righty oh mate you say you're growing up, do your own thing".

Do they have contact with their mum?

Peggy: Oh yes she comes down from Queensland two, three, four times a year. They have a pretty good relationship with their mother. Phillip used to play up after she went back. But he seems to know now that she's going to come back again, and she hasn't abandoned him. They can't remember their father very well but Annie did say to me once did my father hurt my mother? And I said yes he did, but I didn't carry on and carry on, because I'm not lying to her he was a violent man who hurt her... And I'll be honest with you when he died I thought "there is a God". Because I didn't think she was ever going to get away from that violence. And then she went out and found someone worse, who hurt her and the children..

Richard: We don't often talk about him either. In moments of anger sometimes you might mention his name and say "you're doing the same as he did", to try and get Phillip out of copying what he did, but other than that they don't talk much about him.

What are some of the positives in it for you?

Peggy: You do feel proud of them sometimes. You know when they walk up on a stage at the end of the year - he got an award for math, and Annie she also got an award, and I was very proud of her, and I thought she looked great. And she's very artistic, we're giving her art lessons. And there's little things,



she's very loving, she'll go out at Easter time and she bought all her cousins Easter eggs out of her own money. And at Christmas time bought them all little Christmas presents out of her own money. She thinks ahead. And with Phillip...he came home on Sunday morning, he'd been away for two nights. I've just given up yelling at him, I thought "no it's not worth it"and he organised the house! While Richard was at mass he organised the house because all the family were coming for dinner. We put up the table and he went out and fiddled with the barbeque, and I think to myself "actually it is worth it".

Strangely enough when he is needed is when he is at his best. When Richard was in hospital for a few days, Phillip was just so great, he was so responsible. It's when he's at a loose end, or he doesn't quite know...He's just so different when he has something to do.

Richard: Yes, occasionally he shows glimpses of what we're trying to put into him, being independent, thinking of other people. He's starting now to think of buying something for people for Christmas. He said something the other day about not taking his keycard with him when he goes to school so he can't go and get money out of his bank account. There are a few positive things there, he's starting to come through, but there's a long way to go yet.

What would you say to grandparents who were about to embark on this?

Peggy: We're in a special situation in that we don't have interference from our children, like some others. But you've got to take them on knowing that it's a tough job, it really is a tough job, and you've got to be able to deal with them. You're not as strong as you used to be so you need rest, you need to keep fit and healthy so you can deal with it. Because it's really difficult. And I think you expect too much sometimes, you think these little darlings just need to be loved and protected and they're going to be perfect. And they're not, there's going to be difficulties all along the way. You've got to be ready for that.

Richard: Yes, stay healthy, try and put positive ideas into their heads, try and protect them and that's about all you can do. And pray a lot.

Annie did say to me once did my father hurt my mother? And I said yes he did



Paul

I'm Paul and I'm 14 and I've been living with my nan permanently since I was born but she's had custody of me since I was four because my mum used to be on drugs.

I go up to see my mum in the holidays because she lives in Mudgee and she comes down sometimes too through the holidays and sometimes on long weekends.

No I don't miss her, not really because its just like a normal thing to live with Nan and not with Mum.

I'd quite like my mum to come and live here but Mum might not be happy living with Nan, they might argue or something. Or someone else might get angry about it.



With KAOS we've been white-water rafting and go-karting and we're going to the zoo in a couple of weeks I think in the holidays, and we're going to the football after that. All the other boys and kids in the group live with their nans and pops. It's good because you can feel the same experience they have. Yes, they know exactly what its like. There are a couple of kids at school who live with their nans but not many. Some of them don't like living with their nan as much, but I don't know why really. We have a good time at KAOS, we don't get to do things with other kids with their grandparents very often, and its really fun.

Does nan get stressed at all? Yes, a bit like when I argue with her about something I want to do, but she doesn't want me to go there or something. Some of the things that aren't so good? She's a bit more strict about things like what time I'm back after going places. I think its harder for her because she's a bit older.

Sara

I'm six and I go to Penrith Public. I'm living with Nanna and Poppie because my mum is sick. I couldn't live with her anymore. It's good living with Nanna and Poppie. I watch TV and play with my toys and my Barbie doll. I play with my blocks. I've got lots of toys here.

I've got a little brother his name is Dylan. He likes playing with his toys. Sometimes he's a bit annoying when he bites me. I tell Nanna and she gets cranky on him. It's okay having a little brother.

When I was living with mum it was really different. It feels a little bit strange not seeing mum I'm missing her a bit. I talk to her on the phone sometimes.

I don't see my Dad. I remember what he looks like. I miss him. I wish I could see him. Sometimes I cry when I miss him.

When I came to live with Nanna and Poppie I was scared. I was scared about having bad dreams in the night time. I don't have them anymore. I wake up and go in Nanna's room and she gives me the teddy on my brother's chair in my room. A big teddy to cuddle. That makes me feel better.

At school I like computers, and maths and reading. I don't know any other kids at school who live with their Nanna and Poppie. Sometimes the kids ask where my mum is and why does Nan bring me to school. I say my mum's sick and she doesn't live with me because she's really really sick but she's getting better. I wish they wouldn't ask me.

I know other kids who live with their Nanna and Poppie, at Kinship Carers. I've been there heaps of times. We go with Jane and walk around the block, and guess what, we're going to a zoo? With other kids. We see different kids every day when we go there.



Robby

My name is Robby, I'm 12 years old, and I've been living with my nan since I was six months old. My mum was on drugs and she couldn't look after me. It's good living with my nan.

Paul's the only other kid I know who lives with his nan. We have to ride our scooters almost everywhere cause our nans don't drive.

My mum lives in Liverpool with my two brothers. When I see her sometimes we go to KFC or McDonalds, then we go and play in the park, and sometimes we go to her place. Yes I miss her after I've seen her. I'd like my mum to live here too, because my mum and nan get along heaps good. I never see my Dad.



