

If I was a drug addict I would get my kids back. I have an intellectual disability I will never get my kids back.

Every day stories.

Kate has 4 children. All of her children have been removed from her care. Alex the youngest child was removed from her care when he was 9 days old. 2 children live with their paternal grandparents. 2 children live in foster care. Kate has 90 minutes access to her children every 6 weeks. Kate lives in Brisbane, 2 of her children live in Rockhampton, 2 live at Goondiwindi.

Laura has one child. Her child was removed from her care 30 minutes after birth. She has seen her child twice in the last three years.

Sarah has 2 children she lives in a regional centre in Queensland. Both children were removed from her care days after they were born. She was actively prevented from breast feeding in the hospital by nursing staff. One child lives 200 km south of her town, the other 300 km north. She has not has an access visit for 6 months. She cannot afford the cost of travel and accommodation. Yesterday child protection informed her that the foster family for her oldest child was moving to Western Australia – Broome – and if she wanted to see the child she would need to make a visit in the next week.

Ann grew up in foster care, her mother relinquished when she was a few days old. She has had over 30 placements in her 18 years in the system. Many of the foster placements were abusive and Ann was moved often because of her “challenging behaviour”. She has two children in care; they were removed because she was unable to keep them safe from their father, her partner. He was abusive and sexually assaulted the children. This year Ann is in conflict with child protection because they have stopped her contact visits with the children and placed them in the full time care of the father who abused them. ‘I don’t get it! I never abused them and I am the one being punished here. Why?’ At the last contact her 11 year old said that she did not want to see her anymore because she is a ‘bad mother.’

Amy is an advocate she has just found out that one of the mothers she stands alongside of has been subjected to an induced birth to conform to the hours that the child protection workers involved with her requested. The child was removed to a special care nursery at birth and it has been discovered that there were no health risks at all recorded in the child or mothers medical records.

Catherine is engaged in ongoing dispute with child protection and her mother who has care of 3 of her 5 children. ‘Why do you say that I am abusing my kids when I am just doing what my mother did to me?’ ‘Who is keeping my kids safe? No one kept me safe from my mother.’

Setting the context

I feel at quite a loss to tell you in 10 minutes the extent that thousands of years of exclusion, congregation and killing of people constructed as being intellectually different has on the parents I work alongside of. The unconscious values and beliefs about people labeled with intellectual disability continue to be the script by which their lives are delimited, orchestrated and performed.

They continue to be seen as uneducable, eternal children, deviant, without a mind, not fully human. Rapley (2004) captures this best by saying that they are the 'other other'. To me this means even within the category of disability - people with intellectual disabilities are the other. So, all those with differences of ability also seek to separate themselves from this social grouping. The stigma contained within this label is profound and has a damaging effect on those it marks.

One important group of people I want you to meet today is those we would have defined before 1973 as having a borderline intellectual disability. Acts of policy have eliminated this group from the landscape. Here I am talking literally rather than physically. When the definition of intellectual disability was changed in 1973 by the AAMR from an IQ below 85 to those below 70, the population went from 16% of the population to 3%. The effect of this change in the lives of people I work with is that they will qualify of a DSP but no funding from disability services. They no longer meet the criteria. These are the people abandoned in our communities who are over represented in all social services – in public housing, as victims of crime, unemployed, in prisons. Typically they are living in poverty, with a poverty of relationships (functional relationships). Thirty years ago they were contained in the institutions. Denied sexuality and subjected to abuse therefore sterilized. The eugenics movement of the 1890's has much to say about this social cohort. They were the unfit marked for elimination in the USA and many other nations. Today they are most commonly the parents we work with who have children removed from their care.

And yet when I stand alongside these parents they see that it is simple. They love their children. Their children love them. They gave birth to their children this makes them a parent. In my experience of working with these parents it is unthinkable to

them that they are not good parents. The role of being a parent is so profound for many women I have known over the years that they will continue to have child after child in an attempt to keep one- just one. So I know of women with more than 6 children who have all been removed from their care. Most continue to have children believing one day they will be a good enough parent that child protection will let them keep the baby.

I also know that when the children of these parents are old enough they will seek out their biological parents. You see we all need to understand who we are by knowing who our parents are. We create our identity by knowing our culture and our biology.

The stats

Today in Australia it is estimated that 1% of parents have an intellectual disability and that 43% of these parents have children removed from their care. The three central issues identified McConnell, Llewellyn and Ferronato (2000)

- Children are removed from a parents care with little or no evidence of maltreatment.
- Any difficulty that a person has is attributed to the disability not to other life deficits—poverty, poor housing, harassments, social isolation and lack of appropriate social supports.
- That no actions are taken to remedy parent's deficiencies before the child is removed

The system

Parents who try and negotiate the child protection system face a David and Goliath journey. Much of what they face in this system I believe is disability discrimination both direct and indirect. Rights are breached in many ways (more than documented here)

- Parents are typically not informed about what the process is that child protection undertakes or their rights under this legislation in a way that they can understand. They need to be told information in small chunks, have it put in concrete examples and that one idea at a time is established.
- Children are typically removed before a parent has a chance to succeed or fail at parenting – children are removed anywhere from 30 minutes after birth onwards in our experience.

- Child protection does not often apply the act for these families – to work to reunify the family unit. Most often their response is to remove a baby and seek and 18 year order.
- When a grandparent puts their hand up to care for the child it seems that child protection see this as a good solution and fails to look at how this act fractures all involved. There is no investigation of the way that the grandparent raised their child. Grandparents sometimes take over the role of parent and cut off relationships between their child and grandchild. The view that the grandparent has about disability is central to this behaviour
- What is seen as evidence produced by child protection workers is often word of mouth or anecdotal rather than factual, and is layered with assumptions and stereotyping.
- There are long periods of not doing anything then hurrying to comply with what the department agreed to do in a family order that fails to take into account the additional time and skill needed to support these families.
- Actions and responses to maltreatment within the system by a parent are seen as confirmation that the parent cannot parent rather than a reasonable response to someone who is experience a deep trauma.
- Parents have limited contact with their children – a few hours a month and we see this reduce when parents are left without supports to stand up to the child protection system, and they are too poor to meet the cost of having contact with their children.
- Parents are under constant surveillance and any behaviour aimed at getting their children back is read as deviance.
- .Child protection workers have little in the way of education about intellectual difference and can make their decisions based on stigma and stereotyping.
- There is a huge inconsistency in how the law is applied across Queensland.
- There is a dearth of organisations established in Queensland to support these parents to parent well, yet we know that IQ is a poor predictor of capacity to parent. We also know that a support system for the parent and access to skilled assistant ensures that parents and children succeed.
- There is not wide acceptance that the removal of a child sends these parents spiraling into depression; neither are there many therapists who are skilled at working with them. They are seen as being people without emotions, therefore not in need of counseling.
- We know that people with intellectual difference are concrete thinkers, are acquiescent and there are high rates of illiteracy in this population. This is important for any system making accommodation for the person with intellectual difference. It can be the difference between success and failure.

Yet most of the information given to parents is in language that they are unable to access and understand.

As a society we seem to have moved to a position that accepts that people have a right to sexual experience but we have not made the necessary step to also accept that they can be good enough parents with the appropriate supports.

In my perfect world.

What parents most urgently need in Queensland in my view are some quite simple things.

- a) Child protection needs to conform to the DDA and develop a standard which will set out a standard response around Queensland for how workers will support these families and comply with the child protection acts aim of reunification. This will entail that child protection workers need to be educated on how to best work with these parents. We have a vast international literature that tells us that abuse is uncommon if anything happens it is neglect by omission rather than intention. Along with some excellent research that informs us on the way to work with these families.
- b) Parents need access to high quality support systems and parenting programs, which are tailored to their needs – after years of contact with these families I have formed a view that one possible model is that a nanny moves into a person's home. It meets their educational needs in the most appropriate manner and the child is protected 24/7 as is the parent. Under current expenditure this would be cost neutral I suspect.
- c) That before a child is removed we make every effort to support the success of these families. I think this process could mean that if women feel well supported to parent well they may not feel the need to keep having children in an effort to replace those who are now living in care.
- d) Parents need access to legal aid in these cases as they face systemic discrimination if they have to go it alone.
- e) An independent advocacy organisation which works with parents to mediate the child protection system would be very important to achieve fair

treatment. The Norah Fry Centre Bristol provides us with some excellent resources to do this.

- f) Grandparents would be encouraged that their role of grandparent is very important and be discouraged from taking over from the parent.
- g) It would also be better for these families that we not sent them to family law courts, with all the barriers to justice we know they face in the legal system. It would be of value to explore setting up a mediation system with people with expertise working with people with intellectual disabilities and part of this means that they would be aware of the range of services that they could access to deal with issues of grief and loss, child development and parenting.
- h) And in a perfect world we would be moving to co parenting arrangements for these families and encourage them to be fully and successfully involved with their first child rather than taking 4, 6, 8 or more children from a mother.
- i) In the research we have conducted at WWILD we have a picture that shows us deep discrimination against a class of people based on their individual difference. They are losing children into care, based on their individual difference. We are not suggesting that children should be abused or neglected. Rather; a parent should be supported to be a good enough parent before we deny them the opportunity. This is an injustice.
- j) Nor should we pretend that because of their intellectual disability they are not smart enough to love. I see them love their children deeply. What I also see is lives so marked with trauma from the treatment we extend to them based on their individual difference, it makes it hard for them to face each day. But in amazement and admirations I watch them face each day. This construction makes it hard to be the best that you can be any given day.

At WWILD we are ready to work alongside any one of you who has a passion for this work and wants to walk alongside the parents we see each day negotiating heartbreak and rejection.