

13/4/2011

Protecting Victoria's Vulnerable Children Inquiry

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Dear Sir / Madam,

I am writing to you in relation to your Inquiry into Protecting Victoria's Vulnerable Children. I would like to outline how we believe the current legislation may disadvantage children in 'non-biologically related' families. My comments are in regards to the Terms of Reference 3.5 "Out of home care including permanency planning and transitions". I have some comments about the strengths and weaknesses of this system and, in particular, I believe that your Inquiry would benefit from reconsidering the nature of Permanent Care Orders.

It would greatly assist parents of kids who are in families via Permanent Care, to be formally recognised and acknowledged as **legal parents**, rather than seen as carers.

I have included some stories of PC families, and some suggestions about how children and families could be better supported within the wider Child Protection framework.

## Part 1: The concepts of ‘Custody and Guardianship’, ‘legal parent’ and parental responsibility

If you try telling a child in a PC family that the Permanent Care parent (PC parent) is not actually ‘Dad’, but should be called a ‘Permanent Carer’ or even a ‘Guardian’, he or she would quite rightly wonder what you were talking about. Kids in PC families know full well that the PC parent are not their ‘tummy daddy’ and ‘tummy mummy’, but what is important to them, what is above all in their best interests, is that they have a real life, genuine, loving, caring Mum and Dad. Because that’s what PC parents are, Mum and Dad for the children in their families. Children in a PC family know that the PC parents weren’t there when they were born, but they know who they are, and where they’ve been, and that their Mum and Dad are going to be travelling alongside them, to wherever they’re going. But even though a PC parent becomes a Dad or Mum a legal Guardian, it seems that they do not become a ‘legal parent’.

So what does it mean anyway, ‘legal parent’? My understanding is that it means simply that the person(s) named as mother and father on the child’s Birth Certificate are the legal parent(s). Therefore in Adoption, because the adoptive parents are named on the birth certificate as the mother and father, while the birth parents are not mentioned at all, then the adoptive parents *are* the legal parents. Legal parents have ‘parental responsibility’ for their children, and along with these there are ‘parental rights’, such as the right to seek access should a couple no longer live in the same house together.

Currently Permanent Care parents (PC parents) are not on an equal footing with ‘legal parents’ (natural and Adoptive parents), even though they are expected to fulfil all the same parental responsibilities as do ‘legal parents’. I would be interested to hear if there are any parental responsibilities which ‘legal parents’ perform on a daily basis but which PC parents do not. In terms of what PC parents actually *do* for their children; the physical, emotional, psychological, caring, nurturing, teaching, guiding, and ‘general loving’ tasks are the same, whether you are a PC parent or a ‘legal parent’. So what is different, apart from the bit of paper that is the Birth Certificate?

It seems to me that currently, the making of a Permanent Care Order under the Children, Youth and Families Act 2005, gives to PC parents **all the parental responsibilities expected of any biological or Adoptive parent, but does not give them all the rights that such parents enjoy.**

As you will be aware, the granting of a Permanent Care Order from Victoria’s Children’s Court (Vic. Children, Youth and Families Act 2005, section 321) states that the persons named have;

**“custody and guardianship to the exclusion of all other persons”**

A Permanent Care Order is made because the Children’s Court deems that the child in question, as is the case in Adoption, will *never* return to their birth family. However, there is confusion within the system as to whether custody and guardianship means exactly the same thing as having ‘parental responsibility’, and in some instances it seems the birth parents of permanent care children are presumed by various departments, staff and legislation, to still have ‘residual’ parental responsibilities; even if they don’t have custody and guardianship.

PC parents clearly have Custody and Guardianship to the exclusion of all others, but it is whether this means, in all aspects of the law, that they have 'Parental Responsibilities' to the **exclusion** of all others, and to what extent this makes them the 'legal parent' that is the question. PC parents can feel like 95% the legal parents, but not quite 100%.

According to the Law Handbook of Fitzroy Legal Service;

"Adoption is a social, psychological and legal process through which a child is given the legal status of a child within a family unit other than their birth family. The primary objective of adoption is to provide a family for a child who cannot be cared for by their immediate or extended family. Adoption can provide security, love, protection and nurturing for such a child"

I think that the phrase 'Permanent Care Order' could be substituted for 'Adoption' in this passage, because a Permanent Care family provides the same security, love and protection as an Adoptive family. However, because the PC parents do not appear on the child's birth certificate, there is some ambiguity as to whether the child does indeed have 'the legal status of a child within the family unit' in the same way that an adopted child does, and this is what we believe needs to be redressed.

Like children in adoptive family households, children in Permanent Care family households:

- Do not live with their birth parents, but as far as the children are concerned they are living with Mum and Dad;
- Are never returning to their birth family to live (although it is possible for both to do so as adults)

## Part 2: Specific problems related to being Guardians without being 'legal parents'

The ambiguity about the child's legal status means that there are a number of legal parental processes which are problematic for us, when they should be straightforward. This seems to be because various other Acts and laws are not fully cognisant of Permanent Care Orders and treat the birth parents as if they still have some 'residual parental responsibilities', as outlined below.

### **Australian Passport applications;**

There are problems when applying for an Australian Passport for a child who has arrived in the family via Permanent Care. It is ambiguous as to whether the birth parents are supposed to consent to the issue of a passport for a child in a permanent care family. This is because the passports legislation states that 'all persons with parental responsibility' need to sign the form. Whilst PC Parents are acknowledged by the Passport Office as having 'parental responsibility', the problem is that birth parent(s) may be deemed to have 'parental responsibilities' also, and ordinarily the signature of the birth parent/legal parent is required. Although it is possible to apply and receive a Passport by using the "Special Circumstances' clause of the Passports Act, this is not a 'right' of the PC parents, but is at the discretion of the Passports Office. There is the possibility that birth family are able to refuse to sign a Passport application, and therefore deny the child an opportunity to travel overseas for holidays or to see extended family. Even though the PCO has effectively extinguished birth parents parental responsibilities, in the opinion of the Australian Passports Act 2005 the birth parents of children in PC arrangements still have at least one parental responsibility, namely to consent to the passport application.

### **Australian Citizenship.**

Connected to the Passports issue is the difficulty of proving the Australian Citizenship of our children. Ordinarily establishing citizenship relies on demonstrating the citizenship of one or both birth/legal parents at the time of the child's birth. This in turn establishes the child's citizenship. In the case of a child in a PC family however, the citizenship of the actual parents (us!) is considered irrelevant. This is in contrast to Adoptive families, where the citizenship of the Adoptive parents (at the time of Adoption) determines citizenship eligibility of the child, while the birth parents citizenship status is considered irrelevant. In a PC family case, if birth parents are not available to provide their Birth certificates and establish their citizenship, then it is problematic to establish the citizenship of the child. It is possible to obtain an extract from the registry but this is not a straightforward procedure.

**Application for Change of Name.**

The carrying of a family surname is a powerful symbol of belonging in a family and one that biological and Adoptive families take for granted. For this reason some PC families seek to change the surname of their PC child to the family name, but again this is not straightforward. In adoption a new birth certificate is issued, and the child takes their adoptive parents name. In contrast, with permanent care the pc parents can apply to have a name change, but any change is *at the discretion* of the Births, Deaths and Marriages office.

I believe names are self evidently a very important part of a child feeling fully claimed and connected to their family, of whatever composition, and this is why we applied to change our son's name (see below). If a child is not able to change their surname, then all their legal documents (Centrelink, School enrolment etc etc ) have to be in the name of the birth family. And if the child keeps their birth family surname, how does this benefit the child in their day to day life, when they are a member of a family where nobody has that surname?

**Rights of Inheritance.**

In PC families, the rights of inheritance are unclear. There seems to be no automatic inheritance rights that attach to a Permanent Care Order, and its up to the PC parents to alter wills to include their new children as well as any biological offspring. If, for example, 3 children can grow up together in the same family, but only one is entitled to inheritance rights automatically because only one is a biological child of the parents, how is this in the best interests of the other children?

### Part 3: The experiences of 'permanent care' parents.

I would like to describe a little of Rob's\* and Rue's\* stories, in the hope that they give you a sense of what these issues mean in practice.

#### Rob

Rob arrived in a family at a very young age under the 'Permanent Care' program of Victorian Department of Human Services, as DHS had deemed that he could not live with his birth parents. One of the PC parents became a 'stay home Dad' and was thus full-time primary carer for the first 2 years of placement (the placement agency's policy was that one parent stay at home with the child for at least 18 months). In time, the PC parents went to the Children's Court and a Permanent Care Order was made granting custody and guardianship exclusively to them.

Rob is now at primary school and he has grown up knowing his PC parents as his Dad and Mum. They have had ongoing contact with his birth mother, and they fully appreciate the importance of this for him, but nevertheless he has grown up as a fully-fledged and very dearly loved member of the PC family, and their house is 100% his home.

As noted above, the granting of a Permanent Care Order means the person's named as 'Guardians', ie the PC parents, have custody and guardianship to the exclusion of all others. The PC parents therefore make all the day to day, and all the long term decisions about the child subject to a PCO, as any other parent does. The PC parents are the ones who look after the child/children's every need, and do so until the children are adults ready to stand on their own two feet; the PC parents have to make decisions about what they eat, what they wear, what their values are, what their recreation is, where they're going to school; they teach right from wrong, how to behave with others; they take the child to the doctor when he/she is sick, or to the hospital if he/she falls and hurts himself; they sit and read a story to her every night and they comfort him when he gets hurt; they are the ones to marvel at the her progress, and to handle his tantrums and soak up his tears.

On a day to day basis, in most areas of life the notion of 'parental responsibility' is exactly the same as the notion of 'Custody and Guardianship'. If the PC parents take Rob to hospital because he's sick, enrol him in a swimming class, pick the right school for him and enrol him, praise him for his beautiful behaviour and guide him away from his bad behaviour, they are acting as all other parents do, with his best interests, both short and long term, at the heart of their decisions. They don't ring up the Department of Human Services, or his birth parent, to check it out with them what they think is best. And why would, they because these are not decisions for DHS or birth parents to make. Yet when it comes to changing his name, or applying for a Passport, suddenly a birth parent is deemed to have some sort of a role by some government departments. We believe this does not make sense.

\*not their real names

## A PC parents experience when attempting to change a surname.

Initially during the (lengthy!) application process for Permanent Care, prospective PC parents are invariably told by the placement agency staff that they are not able to change a child's name without the consent of the birth parent(s). Having talked to a number of other PC parents since, this seems to be the standard advice of the agencies that train and recruit prospective PC parents; that Permanent Care parents are 'not allowed' to change the name of their child. Some staff in the adoption/permanent care sector reading this may perhaps baulk at PC parents using the term 'their child'. However, as noted above, claiming of a child into your family is an absolutely vital step in that child being an integral part of the family, and something the parents of biological children (and Adoptive parents) absolutely take for granted. As part of their family, PC parents wish their children to have the same surname as themselves, and to be able to use this name legally for school enrolments, Medicare etc etc.

Rob's PC family visited the Births Deaths and Marriages office to put in the forms to change his surname to their family surname, and took with them a copy of the relevant section of the Children, Youth and Families Act 2005, along with their Permanent Care Order. They were informed by staff that the BDM office was not subject to this CYF Act, but was only obliged to follow the provisions of the Births, Deaths and Marriages Act 1996, and so left very down-hearted and disappointed as staff said they could not lodge their application. A staff member at one point told them that they 'did not wish to create another stolen generation'. This obviously upset the PC parents, and gave them no faith that the staff member had any understanding of the complexities of the Permanent Care system at all. When they later studied the BDM Act, they discovered that under the provisions of this Act they were, in fact, able to apply for a name change because under s26, guardians may apply for a change of name, if;

"[the birth] parent...for some other reason cannot exercise their parental responsibilities to a child"

Quite clearly birth parents of a child who is made subject to a permanent care order cannot exercise their parental responsibility because this parental responsibility has been legally removed by the Children's Court and placed with the persons named in the Permanent Care Order (once again it brings up the issue of whether 'custody and guardianship' is the same thing as 'parental responsibility' or not).

Rob's PC family subsequently resubmitted their paperwork, armed with the above information, and were granted a change of name. Rob has grown up with only the PC parents as his parents. He is very proud to have the same name as his brother, it is one of the most powerful signs that he is a fully-fledged member of, and belongs in, the family. His 'tummy mummy's name still appears on his certificate and the PC family want to make it clear that they're *not* trying to exorcise him from his biological origins, but they *are* making sure they fully embrace him in his permanent home.

It is clear however that PC parents have no absolute right to change a child's name; it is up to the discretion of the BDM office.

## Rue

Rue is another child who arrived in a PC family at a young age. Rue had experienced significant trauma in her early months, and she had a number of problematic behaviours. She'd had extended periods when she had extreme outbursts of anger on a daily basis, and regular occurrences of self-injurious behaviour such as head-banging. She had months where her response to the slightest anxiety was to spit at the PC parents and the siblings in the family, and to throw furniture, objects and clothing. She subsequently received speech therapy for a marked delay in her language, and has received assistance from an early intervention program. Her extreme emotional fragility stems ultimately, the PC family believe, from her poor early attachment in her family of origin. The nature of her difficulties in attachment and subsequent heightened level of anxiety and vigilance have led to her behaviour being at an emotional level far younger than her chronological age.

There have been times when the PC parents have questioned their decision to pursue this path (they'd hardly be human otherwise), but they have hung in there, in the faith that with their understanding and guidance Rue could find her way to a more emotionally stable place. With the help of their extended family, friends and support services, and a huge amount of goodwill and patience, they have made slow but steady and solid progress. They have found the advice of a skilled child psychologist to be invaluable. She has given them an understanding of how a child who has problematic attachment early on, needs a different approach in their parenting to a child who has had a secure start in life. This has given them a helpful, and very practical, base to understand some of the reasons for Rue's behaviours, and the best ways to help her overcome them. In fact if you met Rue today, you would probably take some convincing to believe that she is the same girl described above.

Some of the most valuable supports that the PC family enlisted they found off their own back, without assistance from the agency that assessed them and placed Rue. They found the highly skilled and knowledgeable child psychologist from their own research on the Australian Psychological Society website; they found a good paediatrician; they found a good speech pathologist; they organised a WIIPSI (IQ) test themselves. It has seemed to the PC parents that the majority of workers efforts in the Permanent Care field are directed at the recruitment of prospective parents and the placing of children, while the support after placement is not seen as a priority.

## Part 4: Some suggestions from a 'Permanent Care parent' point of view

### a) Issue of a new birth certificate on making of a PCO

*- The best interests of the child are served by altering legislation to include PC parents on the birth certificate of the child who has joined their family, and thus all the complications that arise from the ambiguity around 'custody and guardianship' would disappear.*

The most obvious, and perhaps most straightforward option to make PC parents the **legal parents** would be to issue a new birth certificate on the making of a Permanent Care Order. This could list the Permanent Carer parents as the (current) legal parents, while still listing the birth parents on the same document as well, except they would no longer be the legal parents.

Is this a crazy idea? Not in my opinion. After all, from what I understand, before 1928 in Victoria (the first Adoption Act) there was no such thing as a 'legal' adoption. People did take in non-biological babies and children, of course, but if biological parents turned up, the adoptive parents had no legal right to ensure the children remained with them. The Adoption Act changed this and gave a legal security to the people who were the child's actual, if not biological, parents. Similar legislation could do the same for children in PC families.

When a Permanent Care Order is made by the Family Court, the Court is saying that this child now belongs in the new family. The child **no longer belongs** in the birth family. This may sound harsh to those who have never embraced a non-biological child within their family, but this is the reality. If the Court believes that the child actually still belongs in the birth family, then they should not make a Permanent Care Order, but should seek reunification with the birth family.

Why not just say in the Permanent Care Order:

"The granting of a Permanent Care Order makes the persons named on the order the legal parents of the child named in the order, to the exclusion of all others, and a Permanent Care Order extinguishes all the parental responsibilities of the birth parents and grants them all to the Permanent Care parents "

I must emphasise that to add PC parents to a Birth certificate would in no way be to deny, or attempt to hide the child's biological background from them, because PC parents seek to keep the best interest of their children always paramount. They understand it is important that their kids know and understand this biological background.

In my opinion the best interests of the child are served by including PC parents on the birth certificate of the child who has joined their family, and thus all the complications that arise from the ambiguity re 'custody and guardianship' would disappear. I believe that if a decision has been made to remove a child permanently from a birth family then the **child deserves nothing less** than to have the 'legal status' of a child in their permanent family.

The Department of Human Services continues to make fortnightly 'carer payments' to PC parents which recognise the service they are providing to the State in looking after children who would otherwise be in the State's direct care, which would presumably be far more expensive to provide. However PC parents may gladly exchange this ongoing payment, for full and equal recognition under Federal and State Law of their status as parents, in the same way as Adoptive and biological parents. After all 'legal parents' don't get any particular payments on top of FTB etc just for looking after their own children.

If PC parents were legal parents it would assist with the aforementioned issues of Passport applications, proof of Citizenship, Inheritance rights and Change of Name applications.

## b) Adoption Order (Conversion)

*- DHS could consider the making of an Adoption Order (without consent) for children who have been in a PC family under a PCO for a certain number of years, and/or who have been with the PC family from a prescribed age.*

Again, if DHS has ascertained that a child will never be returning to their birth family, then why not give the child the full benefit of legally belonging to their permanent family? It could be possible that a child who has resided successfully in a family under a PCO for a number of years could then have an Adoption Order application initiated and pursued on their behalf by DHS. If birth family do not consent for an Adoption order, DHS could go ahead and apply for an order without consent, using the process outlined below.

## c) Consider an Adoption Order (made without consent of birth parents if needs be) as an alternative, and better outcome for the child, than a Permanent Care Order

*- DHS could simply consider making 'without consent' Adoption Orders under Sec 43 of the Adoption Act 1984 instead of initiating PCOs, and use Sec 59A of the Adoption Act to allow ongoing contact with birth family.*

Exactly who benefits from the making of a PCO, as opposed to an Adoption order? Even though PC parents assume 'parental responsibility' to the exclusion of all others, it seems PCOs are presented to birth families as a lesser trauma, or less of an irrevocable split from their biological children, than Adoption. This seems to be simply because birth families can still hope to continue with 'access' for many years. However as I say previously, we need to be clear, a PCO means the child no longer belongs in the birth family. If DHS believe a child actually still belongs in the birth family, then don't pursue a PCO. Children need to belong to one family, and to have the chance of making a solid attachment to that family. The Federal Government's 'Early Years Learning Framework' puts it this way:

“Belonging is the basis for living a fulfilling life. Children feel they belong because of the relationships they have with their family, community, culture and place”

When a Permanent Care Order is made the fulfilling life that the child will lead is a life that is created around the solid base of the PC family.

I believe DHS already have the option of making Adoption orders 'without consent' of birth parents, but they seem highly reluctant to do this.

The Adoption Act 1984 **Sec 43** states “the Court may dispense with the consent of a person to the adoption of a child for a number of reasons”, including where the Court is satisfied

“c) that the person has...persistently neglected or ill-treated the child”

and

“d) ‘the person has.... failed, without reasonable cause, to discharge the obligations of a parent of the child”

both these would seem to be the same sorts of circumstances that lead to DHS Child Protection services removing children from families, and initiating either a re-unification process or seeking a PCO.

It seems that DHS view PC Orders as doing the same job as a ‘without consent’ adoption (ie removing the child permanently from harm or prospective harm) but without the uncomfortable task of admitting this is the reality of what has happened. So the making of a PC Order allows the DHS to have their cake, and eat it too! But in the process, do the birth family’s perceived needs take precedent over the best interest of the child? Perhaps it also keeps a kind of pretence or perhaps fantasy, that the birth family could at some time in the distant future be re-united.

An observer might conclude that a Permanent Care Order serves to promote the interests of the birth family above that of the child, and that an Adoption order might better promote the interests of the child. Would the making of Adoption orders, as opposed to Permanent Care Orders, lead to children suffering? Or is it only the birth parents wellbeing that is being considered when making a PCO as opposed to an Adoption Order? In any case it seems to me there is a mechanism by which a child can have the full legal status of a child in an adoptive family, while still acknowledging their birth family. **Sec 59A** of the Adoption Act allows for the making of Adoption orders “subject to certain conditions” of either

“c) a condition that ..parents..have access to the child as specified in the order”

and / or

“d) a condition that the adoptive parents.. provide information about the child.. to the parents”

So DHS could be pursuing Adoption orders, rather than PCOs, to provide children who cannot live with birth family a safe, secure family in which to grow up and truly belong, while still allowing for birth families to be acknowledged.

## d) Access / Contact issues

- Clarify that 'contact' is different to 'access'

- Make access/contact with birth family to be by mutual consent between PC parents and birth parents.

A PC Order includes provision for 'access' with birth family where this is possible. In my opinion this should be renamed 'contact', and should be by mutual agreement between PC family and birth family, as it now is with modern Adoptions within Australia. The phrase 'access' conjures up for most people, I believe, a situation where a couple have separated, and one parent is having access with their children, who don't live with them most of the time. Hence in that situation the access is for the mutual benefit of both birth parent and child. However in the case of PC, 'access' is primarily for the benefit of the child in question only, so as they may grow up with an understanding of their biological background. **It is not primarily for the benefit of the birth parents.** This is a fundamentally different type of access to that between two separated parents, or between a temporarily separated birth parent and child (as is the case in a foster care situation).

Certainly the Passports Office views PC 'access' in a similar way to separated parents access, as when I was applying for a Passport for my son the Passports Office were very keen to know if there was a provision in our PC Order for 'access' to occur. They understand the term access to infer a parental right on the part of the birth parent, and as evidence that the parent granted such access therefore also has parental responsibilities. However, from our understanding, the parental responsibilities of birth parents have been removed by the making of a PC Order.

When PC parents accept the role of Guardians/parents, surely the level of contact with birth family must be by mutual consent, as in Adoption, not imposed by some other body which is not the child's Guardian. Otherwise the core of the role of Guardian, ie. that the PC parents are responsible for the long-term welfare of the child **'to the exclusion of all other people'** is a nonsense.

## e) Contradictions regarding 'access'/contact

*-all Guardians should have the same expectations of their role in relation to contact with birth family*

As it stands there seems to be some contradictions in relation to 'Access'/ contact conditions or lack thereof in the Children Youth and Families Act 2005. Namely the provisions for 'access' to children by birth parents are different depending on whether the Guardian is the State of Victoria, or a person made Guardian by the granting of a Permanent Care Order. In neither a Guardianship to Secretary Order (sec 289) nor a Long Term Guardianship to Sec Order (sec 290) is 'access' by birth parents mentioned. Presumably then, children can remain in foster homes under either of these orders without 'access' occurring, or, if it does occur, it is at the discretion of the legal Guardian, as represented by DHS.

Why then is there the specific provision in the Permanent Care Order (Sec 321 (1) (d)) which states that a PC Order “**must** include conditions considered to be in the best interests of the child concerning access by the child’s parents”? Why not simply leave it up to the legal Guardians ie the PC Parents to decide what is in the best interest of their child? Isn’t this fundamentally a decision that they should be making, not the Court? Decisions about contact with birth family, for children who are permanently removed from the birth family, is clearly planning for the ‘long term interests’ of the child and as such this is a decision that the ‘Guardians to the exclusion of all others’ should be making.

In our case, our PC Order had no mention of ‘access’ with our son’s birth mother, however we have maintained ongoing access with her because we believe that it is best for him to know about his ‘tummy mummy’.

## f) Change the terminology surrounding Permanent Care, in particular ‘Out of Home’ care

*- recognise PC parents are not carers but parents*

*- take PC out of the remit of ‘Out of Home care’, consider changing the name Permanent Care Order*

The term ‘Out of Home Care’ does not describe what we are providing. Children living in PC families are not living ‘out of home’. If you ask my young one where his home is he will of course reply our house, where his mum and dad live; he will not reply that his home is his tummy mummy’s house. So who, exactly, are we trying to kid, by describing PC as ‘out of home care’? Surely if we mean to say simply that the child is living (permanently) away from birth family, then say this and don’t pretend that the birth family’s home remains as the child’s home, because once a PC Order is made, the birth family’s home is not the child’s home. We are not providing ‘out of home care’, we are emphatically providing our child’s home!

Consider changing the name of a Permanent Care Order to something that may be better understood, such as a Parental Responsibility Order (Permanent Care) to reflect the reality that the ‘carers’ are in fact parents

## g) Post placement; Peer Support for PC parents, and understanding of specialist trauma issues by placement agencies

*- encourage and enable PC parents to provide support to each other*

*- recognise children placed via PC will have level of trauma that increases the complexity of parenting skills required*

I consider that the placement agencies could have a crucial role in not only supporting PC parents once placement are made by direct assistance, but by linking up PC parents with each other. 'Peer support' amongst PC parents could be an extremely useful (and cheap!) resource for PC families, but currently there seem to be no formalised structures to allow this to happen. Unlike Adoptive families, where it is obligatory to be part of a support group even before placement, there are no support groups specifically for PC parents, at least none in the northern suburbs. The idea that PC parents and their kids would want to meet together to share experiences and advice that is specific to their experiences is a pretty obvious thing to pursue. After all what are 'mothers groups' set up after birth for, except as a support for mums / parents who are going through similar experiences?

Placement agencies would be the best placed to initiate these types of support groups as they have all the contact details. There should of course be no obligation on PC parents to participate in such support groups, but I would expect a large number of these families would greatly appreciate the opportunity.

We must recognise that parenting a PC child brings its own unique set of extra difficulties that are in addition to the usual parenting behavioural issues. This is because children who are removed from birth family will have a significant level of trauma which impacts their lives. Once we recognise this, it is easy to see that these types of PC parents should have the opportunity to get together and share some of this load, and the kids the opportunity to share their experiences with other kids who are not living with biological family.

All the services that place children in PC families and then support families need to be skilled up in understanding trauma/attachment issue in order to be able to assist these families. They need to be geared up to assist PC parents to find professional specialist help, if and when needed.

## h) After 18 years old; what happens when a PC Order expires?

*- consider the legal nature of the relationship between PC parents and PC child once they reach 18*

Once a child turns 18, a PCO expires, as the child is no longer in need of a Guardian or Custodian. Is the PC family forgotten about, as the child who is now an adult then seeks to return to their birth family? Of course not, yet once the child turns 18, what is the legal connection to the child's family?

.....

## The role of the Post Placement Support Service (PPSS)

The Post Placement Support Service has been the one place for me where I *can* meet other parents of children who are not their biological children and feel that I am talking with people who truly understand our family situation. The monthly PPSS meetings have been brilliant, and have really given me an outlet for talking about a lot of things that it is difficult to discuss with 'normal' parents for fear of burdening them, or for fear that they don't really understand what the fuss is about!

.....

In a nutshell, when a non-biological child joins a family on a permanent basis, from any of a number of ways, they deserve to become the legal child of that couple, and the parents deserve to become the legal parents of that child.

I appreciate the opportunity to share my feelings about this subject, which is extremely important for me and my family, with this Inquiry.

Yours sincerely

Dan Barron