

Open Letter to the Prime Minister January 2017

Dear Mr Turnbull,

I understand that you met with **Hetty Johnston** from **Bravehearts** in **October 2016** when she briefed you on “**Abbeys Project**” and on the urgent need for a [Royal Commission to be established into the Family Court System](#). I listened to your inspiring [video message](#) aired for **Bravehearts White Balloon Day** last year. As a mother of 5 and a grandmother of 2 I agree wholeheartedly with your statement:-

“There is no greater responsibility for an adult than the protection of a child in their care. Any case of abuse or harm diminishes us all”.

You also acknowledged that Hetty Johnston is a tireless advocate for child protection in Australia, and you went on to urge all Australians to “**Take the Challenge**” to protect all Australian children from sexual abuse.

In all sincerity Prime Minister I urge you to “**Take the Challenge**” and announce a Royal Commission at once into the Family Court System; or alternatively to immediately widen the **Terms of Reference** of the **Royal Commission into Institutional Responses to child sexual abuse** to include the Family Court System. There are many children suffering right now; and they need to be rescued from the terror and hopelessness of sexual abuse.

Bravehearts released [Abbeys Project](#) on **27th June 2016**. Ours was just one of the 320 heartbreaking cases that provided the material for the report. Mr Turnbull, if you have read the report – how can you justify inaction and indifference to the suffering of these children? The case studies reveal that innocent and vulnerable children were failed abysmally by the very institutions charged with their protection and care. In the light of all the stories of the victims that have been heard as part of the **Royal Commission into Institutional Responses to child sexual abuse** – surely we can learn from the past atrocities; where adults used thousands of children for their own sexual gratification. Let’s get it right this time. We would be a morally and ethically bankrupt society if we were to ignore this explosion of court-ordered child sexual abuse.

In my view the mechanism to get it right is really *very* simple. When a child discloses sexual abuse **we them must believe them**, and then give them every support to heal from the trauma they have suffered. Children cannot and do not make up disclosures of sexual abuse. In 98% cases reported to officials, children’s statements were found to be true. (NSW Child Protection Council, cited in Dymphna House 1998)

In my own son’s case despite the fact that he was displaying all the behavioural and emotional symptoms of child sexual abuse and disclosed the abuse - our case was never ‘**substantiated**’ by the State Child Protection agency. In effect my son was treated as a “child sexual abuse untouchable”. **The Police** and **State Child Protection** agency would explain to me impatiently “We cannot intervene if it is in Family Court.” But because they did not thoroughly investigate *or* provide my son with a referral for sexual assault counselling - the Family Court had little evidence to rely on. The so-called ‘**Independent Children’s Lawyer**’ (**ICL**) in our case recommended that my son be removed from my protective care to reside with his father/perpetrator. The same man who had repeatedly sexually molested him to the point where he no longer wished to be alive as a small child. And let’s not forget the ‘**Family**

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Report Writer’ and ‘Family Consultant’ neither of whom possessed the specialised training in child sexual abuse to assess our case proficiently.

In effect there exists a deadly gap between the State and Federal jurisdictions in child protection matters – and there are far too many children who fall into this abyss. Some lose their lives, and others lose their chance for a healthy normal future, because the trauma that they endure changes them.

Because of these shameful failures - a beautiful 17 year old girl from W.A. called [redacted] ended her life; because it was the only way that she could find to escape from her pain and her torment. What a senseless loss of a precious young life – brimming with unique potential. My heart aches for [her] and for [her] grieving mother. How utterly betrayed they were by all the institutions that were meant to protect them.

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I had the pleasure to meet [name] last year as she ran in the **Bravehearts 777 Marathon** in honour of her beautiful daughter. In a truly superhuman achievement she ran **7 Marathons in 7 States in 7 days**...an incredible **294 kilometres**. She told me that she was taking the challenge in honour of her beloved daughter, and that [name] was with her every step of the way. She wants to make a difference for other children you see – even though she lost her own daughter. I understand her idealistic goal because I share it. The only meaning that I can find for my own son’s torment, is that through sharing his story that other children can be spared.

At present, there is a Change.Org petition that has attracted 56,044 Signatures with more signing each day. You can sign it [here](#). The people of Australia are waking up to the tragic stories that have taken place in secretive Family Court’s around this nation. And they are **outraged**. Just read the public comments they are leaving and you will understand. Tragically there are other survivors of court ordered abuse that have signed the petition.

How many more children or young adults like [name] may lose their lives if you do not act swiftly to announce a Royal Commission and to **insist** on accountability and transparency for all the institutions that have failed them? As our Prime Minister your leadership and decisive action is required in this situation.

A while ago I was very moved to read an [article that appeared in “The Australian”](#) newspaper last year that was written by **Josh Frydenberg** - your own **Minister for Environment and Energy**. He attended the 70th Anniversary of the liberation of Auschwitz - which was a deeply meaningful experience for him because some members of his own family lost their lives during the Nazi Holocaust.

The speeches of the concentration camp survivors, forever haunted by their memories; urged that our duty is to *never forget* and to ensure that *history never repeats*. For these Holocaust survivors know that it is never acceptable to be a bystander to injustice. **Action** is always required to restore justice. Josh Frydenberg pointed out that *“the individual even during the holocaust was and is always able to choose how to behave humanely”*. Which is why I implore you to restore justice and to extend the Terms of Reference of current **Royal Commission into Institutional Responses to child sexual abuse** to *include* the **Family Court Institution**.

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Otherwise there will be more unconscionable stories from the Family Court Holocaust that will surely emerge. Some survivors are already sharing their stories and thereby giving other survivors the courage to do the same. It is inevitable in the end that they will want others to know what happened to them – because they wish to save other children from suffering as they did. **Channel 10's "The Project"** aired one such survivor's story in **November 2016**. Here is the link in case you missed it.

<https://tenplay.com.au/channel-ten/the-project/extra/season-8/custody-chaos>

Despite her trauma "Ruby" found the courage to share her painful childhood memories of incest perpetrated by her father, and her courageous mother "Laura" shared her story of the utter failures by the Family Court to provide protection for her daughter. I personally believe that "Ruby" and "Laura" should be awarded medals for their bravery, given that every survivor of abuse is re-traumatised by telling their story. However they wanted to make a difference - to save other children from the same fate.

"Ruby" described what it was like for her to be sent to spend time with her perpetrator/father during Family Court of Australia ordered contact on weekends. Times when she knew that she would be sexually molested again by her father and that no-body could rescue her. She explained:-

"It was almost like you knew you had to go into the Lion's Den"

No child should have to endure such terror. The truth is that she was betrayed by the very systems that had a duty-of-care to keep her safe.



Shame on the Family Court and **shame** on the so-called 'Expert Report Writer' who failed her and her Protective Mother so comprehensively.

Has the **Chief Justice** of the Family Court **Diana Bryant** offered an apology to this mother and her daughter? Surely "Ruby" deserves this at the very least – along with her heart-broken protective mother? What if an apology and genuine remorse and accountability from all the Institutions that failed them made a difference to their future well-being? Please ensure that this happens for this exceptional young woman and her protective mother. And also for Gill Hamersley – Abbeys mother.

There is an inspiring story from the time of the Holocaust, that of **Dr Janusz Korczak** – the remarkable Jewish Doctor who was a champion of children in Nazi occupied Europe. When

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World War II started he was offered many opportunities to escape and to save himself. However he chose to remain and to care for the children at the orphanage that he had established in Warsaw. Right near the end of the war the authorities decreed that the children were to be sent to the Treblinka extermination camp. Dr Korczak asked the children to put on their best clothes and to choose their favourite book or toy. He asked them to hold each other's hands as he courageously led them out of the orphanage on their way to board the train to Treblinka – thus letting those children know that he cared about them right to the bitter end. Dr Korczak embodied pure leadership, and his life's work went on to help formulate the **UN Conventions on the Rights of the Child**.



Dr Janusz Korczak

The **UN Convention on the Rights of the Child** was ratified by Australia in **December 1990**; however it may as well not exist in the Family Court of Australia. Hetty Johnston from Bravehearts has identified the Family Court as **“the most dangerous institution for children in this country”**. From all that I have observed and my direct experiences of how the ‘systems’ failed my own son I agree with Hetty.

I implore you as our Prime Minister to emulate Dr Korczaks’ leadership and become a champion for the children of Australia.

The children of the Family Court of Australia Holocaust.

Mr Turnbull I believe that this will be *the defining* moment in your leadership as our Prime Minister. Will you indeed **“Take the Challenge”** to protect our children? To return to what you said in your White Balloon Day message a few months ago: **“There is no greater responsibility for an adult than the protection of a child in their care. Any case of abuse or harm diminishes us all”**.

Therefore it follows that *when any adult rises to the responsibility to protect a child - the act of saving that child from abuse or harm enlarges us all*, and will also contribute to a healthy Australian society.

For the sake of our precious children, I ask that you start this New Year of 2017 with the only humane choice which is to establish a Royal Commission into the failures of the Family Court System **immediately**. The [Family Law Council’s Report](#) released last year confirms that there are serious flaws. Too many so-called Family Court ‘professionals’ are making

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money from the abuse and suffering of children. It was always going to be a recipe for corruption to mix monetary gain with the protection of children, whilst making the Family Court secretive and providing complete ‘immunity’ for Family Court Judges and Family Court Report Writers/Consultants who are making such critical decisions about children’s lives.

I did not give birth to my beloved youngest son for him to be repeatedly sexually molested until he no longer wished to be alive, and for Family Court ‘professionals’ to profit from his suffering.

I look forward to hearing your urgent response to this letter, as does my courageous son and other survivors of the Family Court Holocaust.

Yours Sincerely,

A Protective Mother

