Silenced stakeholders

Responding to mothers' experiences of the child protection system

Chris Klease

While there has been a plethora of international and Australian research and inquiries into child protection and, to a lesser extent, foster care, there is a paucity of Australian research undertaken with the parents of children in care. While these parents are stakeholders in a system that has had a profound effect on their lives, their views are not generally canvassed. This paper discusses key findings of a community welfare Honours study which explored the experiences of six women whose children had been removed into foster care. The paper focuses on two core themes: firstly, the mothers' sense of betrayal when their pleas for help ultimately led to them losing their children, and, secondly, despite the resultant loss, grief and anger, their compulsion to do whatever it takes to have contact with, and to be reunited with, their children. The paper concludes with key messages and recommendations for practice.

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In August 2000, James Cook University's (JCU) School of Social Work and Community Welfare embarked on a research partnership with the then Queensland Department of Families (now Department of Child Safety). A key area of research was a comprehensive study of the foster care system. Interviews were conducted with 115 foster carers, Child Safety Officers (CSOs), and children and young people in foster care (Butcher 2005; Daly, McPherson & Reck 2004; Thorpe, Klease & Solomon Westerhuis 2005). However, no parents were interviewed.

Though inspired and informed by the large study described above, this research was totally independent of it, and was conducted with six Townsville (Queensland) women with children in foster care. Using a strengths perspective to highlight their status as significant stakeholders in the foster care system, the research explored the mothers' experiences of that system and their relationships with foster carers and other stakeholders. It must be stressed that this study privileges the women's perspectives of the child protection interventions they experienced. However, I acknowledge that children can and do benefit from being taken into care, and that there are likely to be other, contradictory views of why the children were removed. Throughout the paper, the term 'natural parents' is used. This is deliberate on my part as it was the term preferred by the women interviewed.

Responsibility for child protection and foster care in Australia falls to state and territory governments, each with its own legislation, policies and practices (Breckenridge 1994; Fernandez 2002). While foster care is only one response to the protection of children, according to the latest Australian Institute of Health and Welfare (AIHW) statistics, it is nevertheless the most widely used form of out-of-home care in Australia today. As at 30 June 2007, 28,441 Australian children lived in out-of-home care, with 49.5% in foster care, and 43.9% living in kinship or relative care (AIHW 2008).

There is an abundance of international and local research (Fernandez 1996; Kapp & Vela 2004; Reich 2005; Schofield, Beek, Sargent & Thoburn 2000; Sinclair, Gibbs & Wilson 2004) and inquiries into child protection and foster care (Crime and Misconduct Commission 2004; Department of Human Services 2004; Layton 2003; Thorpe & Solomon Westerhuis 2006). However, there is a paucity of Australian research undertaken with the parents whose

children are, or were, in care (O'Neill 2005; Thomson & Thorpe 2003). In their Audit of Australian Out-of-Home Care Research, Ainsworth and Cashmore (2004) identified contact with family, reunification, and the involvement of parents as high priorities, as these topics were recognised as having only attracted minimal research attention. The authors noted that 'the least common source of data was from family members [parents and siblings]' (p.7).

The primary aim of this study (Klease 2006) was to discern the mothers' perceptions of the qualities of a good foster carer and how those qualities should be translated into practice. However, during the interviews, the women were more intent on discussing their wider experiences of the child protection system. Thus the findings are dominated by their sense of betrayal, profound loss and grief, and the women's feelings of frustration and powerlessness towards a child protection system that they felt was under-resourced and crisis driven. Despite these feelings, the mothers were all quite emphatic about their desire to do 'whatever it takes' to have contact with and, ultimately, to be reunited with their children. This paper highlights those findings.

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LITERATURE REVIEW

The literature concerning parents' experiences of the child protection system resonates with stories of despair, loss and grief, and feelings of powerlessness. In a seminal work on the grief experienced by parents losing their children into care, Jenkins and Norman (1972) coined the term 'filial deprivation' to describe the feelings and reactions of parents. The removal of their children and the associated stigma was often only one episode in a lifetime of difficulties (Gordon 1988; Kapp & Vela 2004; Mather & Barber 2004; Millham, Bullock, Hosie & Haak 1986; Reich 2005).

In their Australian research into out-of-home care, Mason and Gibson (2004) interviewed a number of stakeholders, including 10 parents with children in care. Parents spoke of an overwhelming sense of loss, the loss of their role and identity as a parent, and feelings of powerlessness. Some parents expressed resentment towards foster families who were allocated the resources to provide material benefits for their children. As the parents pointed out, had they been granted those same resources, the need for state intervention may have been obviated. This issue emerged during interviews with child protection workers (Thomson 2003), and was also identified by Wilkinson (1986) and O'Neill (2005).

Child protection workers are key players in the success, or otherwise, of relationships between them, their agency, and the foster children's families and foster carers (Adcock 1980; Aldgate 1980; Beek & Schofield 2004; Berridge & Cleaver 1987; Fanshel & Shinn 1978; Millham et al. 1986; Schofield et al. 2000). The literature reveals some of the contradictions and misunderstandings in relationships between parents and workers – for example, where some child protection workers retreat into 'child rescue' mode, fearing that an incorrect decision will see them charged with dereliction of duty (Cleaver & Freeman 1995; Fernandez 2002; Holland & Scourfield 2004; McMahon 1998; Reich 2005; Rutman, Strega, Callahan & Dominelli 2002; Scott & O'Neil 1996; Spratt & Callan 2004). It highlights the dilemmas facing those child protection workers taking on dual, but often conflicting, roles as providers of family support with mandated responsibilities to remove children from harm (Kapp & Vela 2004; MacKinnon 1998; McMahon 1998; Reich 2005; Rutman et al. 2002; Scourfield 2001).

Contact can be an intense and complex experience for families (Beek & Schofield 2004; Macaskill 2002; Mason & Gibson 2004; Thorpe 2007). Most children want and need to see their parents despite the circumstances which led to their removal (Palmer 1995; Thorpe 1980; Triseliotis, Borland & Hill 2000). Frequent contact is a strong indicator of successful reunification (Aldgate 1980; Cleaver 2000; Fanshel & Shinn 1978; Haight, Mangelsdorf, Black, Szewczyk, Schoppe, Giorgio, Madrigal & Tata 2005; Millham et al. 1986; Triseliotis et al. 2000) and a factor in maintaining stable placements (Berridge & Cleaver 1987). Even if reunification is unlikely, contact is beneficial to the child's emotional wellbeing, counters the child's feelings of rejection and dispels any sense of disloyalty towards their parents (Community Services Commission 1999; George, cited in Millham et al. 1986; Mason & Gibson 2004; Thorpe 2007).

In some studies, however, some parents found that contact visits reawakened feelings of loss and grief (Haight et al. 2005; Schofield et al. 2000). Parents expressed feelings of being unwanted and that they had nothing to contribute (Diorio 1992; Mason & Gibson 2004; Millham et al. 1986; Thorpe 2007). During supervised contact, parents felt they were under surveillance (Cleaver 1999; Community Services Commission 1999; Mather & Barber 2004). Dilemmas arose for children who felt they were juggling two sets of relationships (natural and foster family) (Beek & Schofield 2004; Fanshel & Shinn 1978; Macaskill 2002; Schofield et al. 2000). The literature also reveals how many of the

barriers to maintaining contact – for example, poverty, inadequate housing, domestic violence and problematic substance use – are the same issues that precipitate children being taken into care (Community Services Commission 1999; Reich 2005).

Given the scarcity of local research conducted with parents with children in care, the literature review drew heavily on studies from the UK and, to a lesser extent, the USA. Nonetheless, regardless of the country of origin, some consistent themes were apparent. Most studies have found that parents with children in care are likely to experience profound feelings of loss, grief and powerlessness and that contact between children and parents is important to both parties. The study described here sought to make a contribution to available Australian literature.

To the women in this study, it was their pleas for help that led to the loss of their children.

THE STUDY

Conducted with six Townsville women, this qualitative study was undertaken in 2005-06 using a semi-structured interview schedule. Five main areas of inquiry were explored – their children's placement histories, the foster care system and foster carers, Department of Child Safety, contact with other agencies, and recommendations for changes or improvements. Only six women were interviewed for several reasons: Honours degrees typically involve small scale research; I wanted to ground the study in a feminist methodological framework; and there is a relatively high proportion of child protection substantiations coming from female-headed, one parent families (AIHW 2008, p. 33).

Ethics approval was granted as per JCU's Ethics Guidelines. I gained access to potential interviewees through my networks within local women's services, where I was given permission to display flyers. I was sensitive to potential setbacks highlighted by Alpert (2005) who warns that parents might perceive participating in a research interview as a further intrusion or just simply lack the time and energy to become involved. Assuring interviewees of confidentiality was of the utmost importance. It not only gives interviewees the confidence to speak truthfully, but gives legitimacy to the research process (Lee 1993). Consequently, I asked interviewees to nominate their choice of pseudonym and I ensured that all names mentioned during interviews were changed during transcription.

The interviews were tape-recorded, transcribed, and then analysed using the computer program *NVivo* – a tool for the grouping and retrieval of data. To draw from a wider pool, I endeavoured to interview women who had dealings with different departmental offices. Mindful that Christmas time can be very stressful for parents separated from their children, and informed by the literature around loss and grief for natural parents (Burgheim 2005; Doka 1989; Jenkins & Norman 1972; O'Neill 2005), I suspended interviewing during that period. I was also aware of the difficulties experienced by Dale (2004) who suggests that, in this type of qualitative research, only certain types of families are likely to volunteer for interviews. Moreover, Dale cautions that given the contentious and often adversarial nature of child protection interventions, a parent's expressed dissatisfaction with the child protection system does not necessarily indicate the presence of poor practice.

While the sample is small, there is no reason to believe that these women's experiences would differ vastly from other mothers with children in care. Moreover, this assertion was borne out by my review of the literature, and comparisons with similar studies, in particular O'Neill (2005).

THE FINDINGS

The findings are presented through the women's stories of how requests for help led to the loss of their children and subsequent feelings of betrayal and loss, and the women's determination to be reunited with their children. The section concludes with their recognition of the importance of good child protection workers.

Help, not betrayal – 'I begged for help'

The women in this study all began their relationships with the Department of Child Safety (DChS) needing and seeking help. Instead of being helped, they lost their children. The sense of betrayal expressed by the women was palpable. While neighbourhood disputes, mental health concerns, domestic violence, and children with challenging behaviours were just some of the problems confronting the mothers, the common theme was that they had all approached the Department for help prior to the incidents which led to the removal of their children.

> I wanted assistance not this upheaval. [Nicole]

> We'd been to the Police. We'd been to Family Services. 'Something will be done'. Huh! [Denise]

> I went to them for help and then they've made me out to be this bad parent. [Mary]

> I rang the Department before the children were taken ... and I asked for help for [daughter] because of her special needs and they pretty much said 'Well, you're not on a case, we can't help you'. [Leigh]

> I went in there before they took my kids ... I asked them for help and they had lied to me ... I begged for help. [Simone]

But the hurt and betrayal expressed by Maggie, who had trusted and confided in her family support worker, was the most profound.

> I had this lady [NGO worker] coming in. When she left, she went to [work for] the Department of Families and I find she was backstabbing me. I find she went against me and tried to keep the girls in care. [Maggie]

Three mothers insisted that the removal of their children was directly linked with vexatious notifications arising from neighbourhood disputes in their public housing estates. Denise gave a graphic example of how a letter of support from DChS might have influenced the Department of Housing to arrange a transfer.

> If [DChS] had written a decent letter ... to the Department of Housing then we would have been shifted. He [partner] would have still been living where he is living, having access with his daughter and my children and I would be out of this God forsaken street. [Denise]

The mothers in this study value child protection workers who really listen to them and don't make promises that can't or won't be honoured ...

The sheer power exerted by the Department meant that if the women wanted to see their children, they were compelled to sign 'voluntary' orders. They spoke of feeling threatened and not wanting to jeopardise their chances of contact and reunification.

> If you are told 'If you don't sign this, you won't see your kids' of course you're gunna sign the piece of paper. [Leigh]

> I just do things to get on, like I know the system and ... I find if you tend to fight them, that's when they make it harder for you. [Mary]

Departmental power was a theme resonating throughout the interviews. Farmer and Owen (1998) examine the impact of gender on the child protection process and highlight how mothers in their study had minimal offers of help but were 'over-included in respect of agencies' efforts to control them' (p.545). If they wanted to see their children, the mothers had no choice but to sign voluntary orders, doing what the parents in Dumbrill (2003) called 'playing the game' (p. 111).

However one interprets the mothers' experiences, their underlying message is that any family needing help should be very cautious about whom they contact and exactly how much information they disclose. Leigh sums this up most compellingly:

> We didn't know any better and we didn't understand that 28 day order so we just thought it was fixed, that was it. We couldn't do anything. [Leigh]

To the women in this study, it was their pleas for help that led to the loss of their children. Had they suffered in silence or sought help elsewhere, perhaps they and their families would have remained outside of the child protection system.

An empty nest – 'it really tore me up inside'

Despite their inner strengths and resolve, the feelings of betrayal and their children's removal took its toll on the women. They spoke of *being* and *feeling* blamed for the loss of their children. The impact of these emotions ranged from feeling patronised and frustrated to actually contemplating suicide.

> Empty Nest Syndrome's a bitch, believe me, because I had it forced on me. I have been through the worst 10 months of my life. [Denise]

> [CSOs] didn't care, didn't wanna know. The way they come across is 'you're the mother, you're causing trouble, you're the fault, not the carers.' [Leigh]

> [CSOs] don't care what Mums feel ... I've brought up [her older children] no problem at all. [Maggie]

> just her [CSO] constant reminder to me 'you will not see these children again and stop thinking of them as your children' ... We do not wanna hear from this whingeing mother. The whingeing mother should just be put in a psych ward. [Nicole]

Their profound sense of loss and grief manifested both physically and emotionally.

> I don't go outside my house. I don't see my friends anymore. I'm quite frightened to answer the phone. [Denise]

> It was my other child that I lost [by miscarriage] through the stress and stuff ... so yeah it was ... quite difficult. I never got Mother's Day. I didn't get Christmas as I was promised. [Leigh]

> They [CSOs] have been trying to say, 'Oh no, the girls should stay where they are', and I thought how would they know. They've got their [own] kids at home, like they've got all their children home. They don't care. [Maggie]

> My little fella, he was really upset when they took him and, as a mother, you know, it really tore me up inside. [Simone]

At times, the sadness expressed by the mothers was overwhelming. Such was their anguish, two women had actually contemplated suicide.

> There is quite a few times when I wanted to stand in front of a bus but I thought no, how is that going to ..., I will leave [partner] behind, I'm gunna leave my kids behind. [Denise]

A lack of common courtesy and being patronised and treated disrespectfully by Departmental staff compounded an already complex mix of feelings and emotions.

> They would not listen to us. They would not talk to us. They avoided us like we had herpes or Hep C. I don't go and abuse people. I do however get very frustrated with being treated like an idiot, having to grovel to children [young CSOs] who are as young as [some of] my own. [Denise]

> I feel that the way they communicate with me like I'm dumb and stupid, which I'm not. ... I said to her 'can't you tell by the way that I talk? Can't you tell if I'm educated or not?' [Simone]

And as for CSOs returning phone calls –

> No [laugh], that's a laugh. No, they said 'oh we're always too busy' but lawyers and other workers are just as busy, if not busier than them, know how to use email and to pick up a phone. [Leigh]

> Apparently I'm aggressive. I think I've had enough of asking the same question 59 times and being stonewalled 59 times, I don't think it's aggression. I think it's pure frustration. [Denise]

Mary was disheartened by the lack of sensitivity shown by a foster carer couple who had a 'family' photo prominently displayed in their home, in a classic example of what Holman (1980) would term an exclusive model of fostering.

> They had a portrait on the wall with, you know, them and the boys and they don't seem to include me in things. [Mary]

And then there was the vexed question of what children call their foster carers –

> ... called one of 'em Mum, which I went right off my tree with. Another one, because she was like a Grandma sorta thing, she was calling her Nana. That is just not their right or their role. That's not their blood, that's not their relatives. [Leigh]

By and large, their 'empty nests' were the result of circumstances beyond the mothers' control, namely vexatious notifications stemming from neighbourhood disputes, domestic violence and/or children with challenging behaviours. Despite being swept up in a series of events not necessarily of their own making, the women's feelings of blame and shame together with their expressions of sadness, guilt and regret were profound.

Whatever it takes – 'I got the lawyers involved'

Despite the sadness and turmoil in their lives, all six women showed remarkable courage and endurance. They would do whatever it took to get their children back, or, at the very least, to gain meaningful contact. Moreover, using a strengths perspective (McCashen 2005), the women's compliance could be reframed as persistence, resilience and resourcefulness.

> Until I have my last breath, I will fight for my children. [Denise]

> It does amaze me to wake up every day to say why am I here? Why is this resilience just so strong in me? For every suicide attempt is like ... just there must be a Grand Plan for me. [Nicole]

They attended parenting programs (some unwillingly), and sourced help through welfare agencies, usually without any assistance or information from the Department.

> I'm not doing it to prove to them [DChS]. I'm doing it for my children and for me. ... if I didn't care about my children, if I didn't love them, I wouldn't be doing what I'm doing. [Simone]

While the women jumped through the necessary hoops, they also showed their fighting spirit by accessing help from solicitors, welfare advocates and local politicians (including the Minister) in their quest to have their children returned.

> That's when I got the lawyers involved and we just pushed from there. [Leigh]

> I was quite disgusted so I just told her I was gunna see my solicitor and then later that day I had a phone call from the foster parents. ... they just thought I was just gunna dwindle away and be forgotten about and they could have the kids. [Mary]

Not all of the women had positive experiences with legal and welfare agencies, although quality advocacy did make a significant difference, especially given the adversarial and legalistic milieu in which the child protection system operates.

> *... the mothers were all quite emphatic about their desire to do 'whatever it takes' to have contact with and, ultimately, to be reunited with their children.*

The importance of good child protection workers – 'she'd bend over backwards'

Similar to findings from Aldgate (1980), Budde (2004) and O'Neill (2005), the importance of good child protection workers was emphasised by participants in this study. While none of the women had particularly positive experiences with DChS, they did acknowledge the difficulties faced by child protection workers and described how they were able

to build constructive relationships with individual workers and particular foster carers.

> When I was slackin' off a bit and wasn't seeing the boys, she [the CSO] would be ringing me up, saying 'it's only gunna get harder' and she'd really encourage me to see the boys. She'd bend over backwards to get things done. [Mary]

Child protection workers operate in difficult environments with onerous responsibilities (McMahon 1998; Thomson & Thorpe 2004). Ninety-two per cent of respondents to a NSW Department of Community Services (2006) study agreed that DoCS workers have a 'tough and difficult job' (p. 2).

SILENCED STAKEHOLDERS

As the title suggests, the women in this study felt 'silenced' by a child protection system that they believed was crisis-driven and unresponsive to them and their families. Moreover, many of the heartfelt feelings and emotions expressed by the women are echoed by parents in previous studies (Family Inclusion Network 2007; Fernandez 1996; Mason & Gibson 2004; Mather & Barber 2004; O'Neill 2005; Thorpe 1974). For example, O'Neill (2005) describes the overwhelming sense of loss experienced by natural parents, especially during special family occasions such as Christmas. Such was the anguish and despair that risk of suicide was also identified in O'Neill's study.

Similarly, a high rate of depression among natural parents was a key finding in Budde (2004), who stresses the importance of responsive ethical practice and warns that not responding to parent-identified needs might worsen their depression or feelings of alienation. Depression was an issue for four of the six women in this study, as were feelings of blame and shame. Likewise, the parents in Kapp and Vela (2004) expressed frustration with the lack of courtesy and respect shown to them by child protection workers, while parents in Dale's (2004) study were dissatisfied with the accessibility of workers and their negative style.

Their 'silence' is exemplified by their willingness to sign voluntary orders against their better judgement, their determination to 'just play the game' and to do whatever it takes to get their children back home.

KEY MESSAGES AND RECOMMENDATIONS FOR PRACTICE

Stories of betrayal, broken promises, blame and shame, loss and grief, together with a lack of common courtesy and respect for others resonate throughout this study. Child protection interventions with families are complex and often fraught with hostility and despair.

I acknowledge that this study privileges the women's versions of their child protection experiences, and that there are likely to be other, differing views of why the children were removed, and that sometimes it is in the best interests of children to be removed. Nevertheless, I assert that natural parents are of continued importance to a child and his/her wellbeing and identity; therefore natural mothers are important stakeholders in the child protection system. Thus, in light of the lengthy and often heartrending discussions I have had with mothers whose children are in foster care, I exhort other stakeholders to recognise the strengths of parents and acknowledge that their feelings of loss, grief and depression can lead to feelings of anger, frustration and withdrawal.

The mothers in this study value child protection workers who really listen to them and don't make promises that can't or won't be honoured, and who are alert to the potential for double standards to emerge between the treatment of natural parents and foster carers. Child protection authorities could reframe parents as untapped resources and facilitate their participation in the training of foster carers and Departmental workers. Most importantly, all stakeholders would do well to treat each other with common courtesy and respect.

Stories of betrayal, broken promises, blame and shame, loss and grief, together with a lack of common courtesy and respect for others resonate throughout this study.

CONCLUSION

Based on my discussions with the women, when I had the luxury of time to really listen to *their* side of the child protection story, I would argue that it is important for this 'listening' experience to be replicated in the induction training of new CSOs and foster carers and in the continuing education of established workers and carers. I believe that asking natural parents to be involved is especially important as a means of consciousness-raising and helping to build empathy and a deeper understanding of the complicated lives (Baker, Miles & Thorpe 2006) of those families caught up in the child protection maelstrom.

In the spirit of heeding the voices of hitherto 'silenced stakeholders', the final comment from Leigh encapsulates the way all six women (and arguably all natural parents with children in care) would like to be treated by other child protection stakeholders:

> Have a positive attitude, not a negative attitude, and to communicate with the mother with decency, not with … disrespect.

The study reveals that their 'empty nests' were the result of circumstances often beyond the mothers' control. Despite being swept up in a series of events, the women's resilience and strengths could (and should) be celebrated and their status as key stakeholders in the child protection system acknowledged and respected. ■

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