

You-Be-The-Judge

Child, Youth and Family (CYF)



Child Protection System(CPS)

ISBN: 978-0-473-33469-7.

The dyslexic person's version

Compiled by Graeme Axford

Edited by Karlie Clarke, Australian Family Law

The Preface

Graeme Axford, who compiled this book, has been an advocate since 1989 and along the way became a qualified Social Worker since the mid-2000s. This book has arisen out of his dealings with the **Child Protection System (CPS)** in New Zealand and based upon the combination of both his personal and professional learning's to this point in 2015. During this time, Graeme has voluntarily helped well over 15,000+ families and now stopped counting.

There are definitely better qualified and much more able people than Graeme to have taken on this task but at the end of the day it was left to him despite the odds being stacked against him, as readers will later discover why and how.

When on his quest for answers about some issues within the CPS, Graeme found a lot of very good academic research all over the place about specific topics in this field. So he wanted to try and gather as much information about the wider CPS issues and simplify it into this one document. Graeme wanted an overview from when and how an initial investigation might start and the progression through the CPS and into the Family Courts and everything in between.

Many of the issues and learnings Graeme uncovered, from experience and research, led him to take his concerns to the New Zealand Parliament three times via **Petitions numbers 2008/121, 2011/33 and 2011/52** for which most of this book is based upon the submissions that supported those. The reason Graeme based this book around that submission is because he wanted to show the issues were nothing new and that Parliament and **Child, Youth and Family (CYF)** had been made aware of them over many years.

When Graeme wrote about the CYF staff tactics and behaviours, as outlined in his submission (*for Petition 2011/52*) before Parliament, CYF never rebutted many of his claims.

The fact CYF never challenged this should attest to the accuracy of those claims. What's more Graeme also gives other cases and examples of how what happened to him at the hands of some CYF staff were not isolated incidences and how in doing so CYF were not being at all child centred.

Graeme was surprised about how a system that was meant to address dysfunction and abuse became that way itself. How CYF became part of the problem not a solution and if you have any doubts about that they should dissipate by the time you get to the end of this book.

This book is going to be a bit different from most others for a few reasons. Mainly because the author suffers from a severe case of dyslexia, which has a profound effect on everything he does. Having dyslexia affects his literacy's skills, like the ability to read and write well, let alone the grammar and punctuation. But more than

that, his streams of consciousness go all over the place, like Graeme starts something then would suddenly stop; forgets where he is in that moment or gets repetitive and at times can go far wider from the mark than a lot of people expect. However, there is a good side to having dyslexia that we hope you will see throughout this book and what that is we will leave to your imagination just for now to see if you can glean what it is from reading it.

While this book has had some editing, it's kept true to Graeme's form as we wanted people to see things from his perspective in the hope it might be enlightening. The editors tried to keep the book as authentic as possible and true to Graeme's very dyslexic ways. Many people with dyslexia have published books but in doing so during the editing processes they have not remained true to the quirkiness and giftedness people who have this condition often show. We wanted to avoid writing that out of this book wherever possible, which I believe we have done. So there are mistakes we have left in rather than taken out as the point of this book is not literary perfection but rather disability tolerance and an overall theme and stories and facts that support them.

Graeme has been mocked; scoffed and ridiculed because of his writing style and even by officials and more so when he writes stuff on Social media or blogs by the wider online community. People see his poor writing style and take from that his lack of good literacy skills must be because he is unintelligent. They equate literacy with IQ and believe me when I say that happens a lot. However, I hope the readers can look past the literacy issues that dyslexia creates for Graeme and look into the wider purpose of this book and message it's trying to convey and story it tells. When you read what Graeme was up against and tried to achieve, it is very much a David and Goliath ongoing type battle.

As Graeme said instead of this book being a **literary work of art** this might end up being an **abstract literacy/unliterary work of art** that will be either a **masterpiece** or a **piecemeal** to **master** if you are able to. So Graeme does not expect to win a Nobel Prize in Literature or for his book to become a best-seller more so as it's a giveaway. So no one should be charged or ask for money in return for this book.

While we are using the book to raise money and highlight our cause, it's by donation only if people are willing. However, if people find what's in this book worthwhile and helpful there is, on the very last page, information about how you can help us in other non-financial ways as well.

The layout and formatting of this book might be a departure from what's normal, for example, Graeme puts the links underneath rather than having a reference section. That's how Graeme does things as he finds it much easier to click on the link where needed, rather than go elsewhere and lose where he's at. Graeme repeats many of the abbreviations throughout the chapters to try and make them as standalone as possible. That's because some people might want to read only a few chapters, rather than the whole book as they could find that hard going or

not be as interested in some chapters like the one about the petitions or others about Graeme's personal battle with CYF etc.

Let's see if you think what Graeme says has merit and reached his end goal of making people aware of how the system really does or does not work as he sees it.

Most of Graeme's experiences contained within this book come via helping others so he views this as the people's information that he also learnt a lot from himself. So he is merely returning the knowledge and experiences imparted to him back to the people he tried to help via this book. He also used a lot of articles and others research that he felt it would be unfair to try and make money from their use. The links within this book should directly open from the PDF version to your internet browser and if they stop working for any reason please feel free to contact us and we can email you the information CYFwatchers@gmail.com as it's all been saved.

By the end of this book, you should see why Graeme talks about the lack of checks and balances within the CPS and how that virtually equates to being given unbridled power in his view.

One should consider this and that is despite the increases in spending on New Zealand's Child Protection System, why has there been no real improvement. Where is that money going, if not to solve or help mitigate the Child abuse, domestic violence or neglect issues? Graeme will provide you with answers about that which is more or less from the horse's mouth.

Once you read this book it's over to **"You-be-the-judge"** what you make of it all.

The power of a book lies in its power to turn a solitary act into a shared vision. As long as we have books, we are not alone.

Laura Bush

Table of contents:

Introduction

Sets the scene and give a general overview of what's to come.

Page 7

Chapter One

Overview of the entire New Zealand's Child, Protection System as submitted and accepted by Parliament in 2011 by Graeme Axford. This is one if not the only truly comprehensive work of its kind ever done to date.

Page 8

Chapter Two

The history of CYF complaint system encompassing the Howard Broad review of CYF dated 2013. This very much supports my chapter one hypothesizes and then some.

Page 69

Chapter Three

The ways CYF see things and attempt at explaining some of the staff's Modus operandi and persona.

Page 109

Chapter Four

Graeme Axford's personal, history with Child, Youth and Family (CYF) the untold story about where and how this all started and escalated from.

Page 128

Chapter Five

What CYF have said about me and how others have seen it, and then You-Be-The-Judge about who you think is right.

Page 173

Chapter Six

My Social Work training, career and why I really applied for two vacancies at CYF and about Mainstream etc...

Page 192

Chapter Seven

All my petitions and efforts to date over the past 15 years and where to from here.

Page 219

Chapter Eight

Two of many the true stories that demonstrate many of the issues I have outlined throughout the previous chapters.

Page 235

Conclusions in three parts:

First: Official conclusion about the MSD/CYF running, funding and how they go about things as far as what it is they do?

Page 280

Second: A more general conclusion about the Social Worker profession, Child Protection System.

Page 289

Third: Conclusion a few personal words to and about my battle with the MSD/CYF

Page 293

Special acknowledgments and honourable mentions.

Page: 296

How you can help if you so wish to.

Page 298

Introduction

The essence of this book is based around what I have come to learn about New Zealand's **C**hild **P**rotection **S**ystem (**CPS**) over the past 15 years or so.

I use the term **CPS** because it goes wider than just **C**hild, **Y**outh and **F**amily (**CYF**) and the Family Court. For example the Children's Commissioner and Social Workers Registration Board, are other factors in which their roles need to be considered in all of this as I will soon go on to explain.

My experiences throughout this book are based both from a personal and professional level. That's because a wider family member was taken into CYF care which also resulted in me becoming a qualified Social Worker myself during that time.

The first two chapters of this book cover the essence of everything I have learnt to date as far as the systems interworking's. I talk about statistics, investigations the so-called checks and balances and the purported avenues of redress it's claimed can help if things seem to be going awry.

As I raise the concepts such as having unbridled power which the system allows I will attempt to show what that means as it's intertwined throughout all the Chapters of this book.

Without proper checks and balances by default people and organisations can end up with unfettered powers by the lack of accountability and redress in real-time as has happened with CYF and the CPS overall.

My own personal accounts throughout this book and the other two talked about in **chapter 8** will also add credence to my claims.

I can accept that no system is ever infallible or person is perfect, but the issue for me then becomes how if mistakes happen can they be best addressed. I have found that easier said than done to the point known systemic problems or known problem people get ignored or even worse protected rather than addressed.

Systems that were set up under the guise of being there for the public interests and good can be at times anything but. If you doubt this then read what I have to say about them and I welcome your retort.

Graeme Axford

Chapter One

If you have read the Introduction and Preface you will understand the background for which I have based my views, and learning's upon, and why I have gone with this style of formatting. I originally based and developed this document as part of submissions presented before Parliament from 2011 onwards.

Most of what you are about to read in this chapter is based upon what went before Parliament's Social Services Select Committee (SSSC) in **2011** for my **Petition number 2008/121**.

I have taken out some things only relevant to that Committee and their processes, but in the same token, added in a few extra clarifications for those who might not be as familiar with the systems and inner workings as that committee and me.

Some members of Parliament gave really good feedback about what's to follow. I have also been contacted by many families and professionals alike, who supported my views after my submissions were made public via Parliaments webpage.

I have seen trauma and distress impacted on many children and families from a system that is broken significantly, in many areas and failing to address the needs of families and children - especially throughout their processes. After seeing the systematic failures, this has driven me to Petition for changes.

Firstly, I would like to clarify that I am not in any sense Anti-CYF. There are some cases where the agency is needed, and some staff who do a really good job under some horrific circumstances. The reality is CYF exists because child abuse/neglect exists within society.

The essence of the issues I would like to voice concerns over can be summed-up and stem from the following quotes, courtesy of Professor Dorothy Scott:

"Child protection systems which catch large numbers of children in their nets are dangerous systems"

"An overloaded child protection system, like an overloaded Casualty Department in a hospital, is very dangerous - for children at high risk, for children at some risk, for children at low risk, for children already in care, for other parts of the service network and for those who work in the child protection system..."

Source: Sowing the Seeds of Innovation in Child Protection, 10th Australasian Child Abuse and Neglect Conference, Wellington, New Zealand, February 2006
<http://www.nzfvc.org.nz/acan/papers-presentations/PDFs/Keynotes/Wednesday/Scott-Dorothy.pdf>

I believe, in many cases CYF has become another part of the problem rather than the solution for many families.

I have seen families destroyed and ripped apart by CYF, having to fight for their very existence. I have evidence from grandparents, uncles, and cousins, who have become collateral damage as a result of CYF casting their net too wide and their overreaction. They have been unceremoniously cut off from their loved one not because they have done anything wrong but rather have not been proven safe in CYF eyes per se. Those family members are cut out of the picture despite having nothing to do with the reasons surrounding why any uplift was deemed necessary at the time.

Some of the next few pages were not in my original submission before Parliament as they were not deemed necessary. That was because my main objective was to show how unaccountable CYF really was. However for the general public, I think it is helpful to get an overview of how things happen.

I have added this next section in about statistics, notifications as to a degree this is what helps drive the response as far as allocation of resources such as Social Workers and services. If the statistics via notifications rise, so does the funding and services increased to try and address the demand created. Ironically there is an interesting quote about this aspect of it all as below.

A "*generalisation*" of Parkinson's Law is mentioned in an episode of British comedy series Yes Minister, "The Skeleton in the Cupboard", originally aired on November 25, 1982. An undersecretary of the Department, played by Ian Lavender, explains to the Minister **that a certain county "has the smallest establishment of social workers in the U.K."** Answering the Minister's question "**Is that supposed to be a good thing?**" he replies, "**Oh yes, a sign of efficiency. Parkinson's Law of social work you see; it's well known that social problems increase to occupy the total number of social workers to deal with them**".

http://en.wikipedia.org/wiki/Parkinson's_Law

Dr Scott's research has alerted us to the possible dangers of large numbers being caught-up in the CYF net by the rise in notifications. I have had people ask me what this really means. As Dr Scott used the term "**net**" in fishing as a depiction they call what I believe she is describing might happen about casting the net too wide as a **bycatch** (*by-product*) which means:

In the fishing industry, a bycatch is a fish or other marine species that is caught unintentionally while catching certain target species and target sizes of fish.

Link: <http://en.wikipedia.org/wiki/Bycatch>

Once something is in the net it needs to be sorted and graded and the bycatch excluded and dealt with. That takes time and resources away from working on the or with the target group. You can see that happening here:

Answer to question 6.JACINDA ARDERN (Labour) to the Minister for Social Development:

Hon PAULA BENNETT: No, and we are currently looking at those reports that are coming from the police. I just want to give a bit of an indication of that. At the moment we have a total of **70,503** family violence reports referred to Child, Youth and Family from the police. Of this number, **12,737** were actual

notifications that required some form of statutory response, meaning that **57,766** of them did not come anywhere near the **threshold** for Child, Youth and Family to intervene. So what you actually have is a **whole lot of notifications coming that do not come anywhere—**

Source: Parliamentary Debates (Hansard) for Wednesday, 18 September 2013
Questions for Oral Answer — Questions to Ministers
[Sitting date: 18 September 2013. Volume: 693; Page: 1345]

One MP suggested then, we should change the **threshold** as that seems to be the problem. That kind of thinking is what created this mess in the first place, and, believe me, would only make things worse. If you want CYF staff running round like headless chickens then that's certainly the way to do it.

Here is a prime example of what happens when you cast the net too wide:

Heading: "Police assign extra 25 officers to child abuse teams as cases stream in
"Child abuse complaints are streaming in so fast police are opening new investigations at a rate of one every hour and they **"fear" making the wrong call.** Talia Shadwell reports as part of the Faces of Innocents series"

"...Police Association president Greg O'Connor agreed, **but said it was every detective's fear that they could prioritise the wrong case, leading to tragedy for someone else...**"

"...Changes in attitudes to what was abuse could also explain the increased case numbers...."

"...Children witnessing violence in the home was now considered **"emotional abuse"** and an early warning sign of violence to come...."

TALIA SHADWELL Last updated 16:49, November 24 2015
<http://www.stuff.co.nz/national/crime/73961316/police-assign-extra-25-officers-to-child-abuse-teams-as-cases-stream-in>

That's what Dr Scott warned would happen if you cast the net too wide. It poses risk for everyone involved and you cause more problem than you fix.

Paula Bennett's answers point to over reporting going on which happens when you cast your net too wide and actually don't define what abuse is that clearly per se.

For example, one Police officer indicated to me that whenever they are called to an alleged domestic violence incident with children present anywhere on the premises they must report that to CYF. Then if someone calls CYF about the same incident you can end up with multiple notifications about the same event. She went on to say it's like the domestic violence model is being superimposed over the care and protection one in her view and that's why emotional abuse tops the list now and skews the statistics. This was said to me in 2011 and since then a lot of evidence has surfaced that supports this. We have an example of this kind of thing having happened here:

Children's Commissioner Russell Wills said both **police** and health agencies were referring more children to CYF, but the vast majority were those who had **witnessed domestic violence**.

Child abuse rise sparks Child, Youth and Family review by JO MOIR

Last updated 08:54, April 2, 2015

Link: <http://www.stuff.co.nz/national/politics/67589148/Child-abuse-rise-sparks-Child-Youth-and-Family-review>

These next claims also give some interesting insights:

CYF note their rate of repeat re-notifications (for all ages) at **67%** is “too high” (CYF 2008: 22). This statistic refers to the number of notifications received over a 10 month period (1 July 2007 – end of May 2008) which was a second or subsequent notification made about a particular child, at any point in that child's life. In other words, of the 90,128 notifications received by CYF in 2008, **67% (60,225)** of these were about children who had, at some point during their lives, already been known to CYF. **It should be noted these numbers refer to the number of notifications made rather than the number of children, that notifications are not always found to be true,** that notifications can be made about a child that CYF is already working with, and that a child may **receive multiple notifications about the same incident or over the same period** (1 July 2007 – end of May 2008). It would be more **enlightening to know how many children and young people with closed files had been re-notified to CYF over a one year period.**

Source: Pathways to Youth Resilience: Care and Protection Services in New Zealand– a policy overview. Massey University Resilience Research Centre 2011, page 16.

Also, the rise in notifications can happen via the abuse of the anonymous complaints reporting process; an increase in the number of notifications is not necessarily the same as an increase in the number of actual abuse cases per se.

I know of parents going through a separation that have out of spite and trying to manipulate the system put in false complaints in the hope their child will be uplifted from the other and given to them. The anonymous complaints system is well and truly open to misuse.

The sheer volume of complaints without an effective sorting process to prioritise them poses a risk for everyone involved, families' children and staff as I believe Professor Scott alluded us to this possibility happening.

Then we also have this problem of CYF own making that can skew the statistics as you can see here:

More than one report of concern recorded in the same year may involve the same child or young person.

Page 379, The Statistical Report for the year ending June 2010

I know a lot of people that phoned back multiple times about the case or child because they did not see any action and grew more concerned while nothing seemed to have been happening in the meantime.

However, I do agree with the sentiment that one child being abused is one too many, let alone more. So the issue is more about when something is reported how does one separate (or sort) the wheat from the chaff. What does or does not require more action?

Other reasons for the increasing notifications could be one as follows:

This increase may be due to changes in social work practice or data recording.

It should be noted that **multiple forms of abuse may be recorded against one incident**, and it is common for social workers to make a finding of emotional abuse alongside other types of abuse or neglect

(Page 19)

Source: <http://www.massey.ac.nz/massey/fms/Resilience/Documents/Care%20and%20Protection.pdf>

One little change in the way information is reported or gathered can alter everything about the overall statistical figures - from what I have read and tried to understand of it all. Like this for example:

“Changes to the way police report family violence in 2008, also led to an increase in referrals to CYF and better agency co-ordination regarding support or intervention for families, Ms. Attrill said”

CYF taking more newborns into care

Saturday 15 Feb 2014 12:49 p.m.

Source: <http://www.3news.co.nz/nznews/cyf-taking-more-newborns-into-care-2014021512#axzz3lg7Gm7Wo>

You can see that making in impact here:

"CYF has seen a **six-fold increase** in its reported number of notifications over the last 15 years."

She said CYF may have received up to **58,000** family violence referrals from police last year.

Arun Kumar trial: Minister expects CYF review in dealings with teenager

STACEY KIRK Last updated 17:13, June 24, 2015

<http://www.stuff.co.nz/national/crime/69676612/Arun-Kumar-trial-Minister-expects-CYF-review-in-dealings-with-teenager>

Again I have to reiterate this point; I have known people to ring the Police and CYF more than once to hurry things along when they see no action being taken. I have also known people to get others to ring CYF in the hope if more people report the abuse, the quicker the response might be from CYF. Someone put up on a Facebook group that after three complaints CYF is obliged to take action so, in order to help things along, they convince as many different people as possible into phoning in notifications anonymously. So the rise in notifications has many variables that make it very difficult to ascertain anything useful from the way the data is gathered and reported I can see. It only raises for me more questions than actual answers off the back of them.

In fact, I have also known CYF staff to call in notifications and/or encourage others to, so they can investigate it more quickly was the reasoning given for this advice.

There seem to be a lot of factors that one needs to take into account when you look at the overall statistics/notifications, and you can see them if you follow the links to the quotes I have provided. It's just too much detail for me to get into here even if I could understand it all which I don't, I should add. That kind of thing does my head in. So for what it's worth there are my views - take it or leave it.

So these statistics about notifications everyone quotes, are not as clear cut as many people might think. Another example of the problem is do you consider a smack to be abuse as CYF do? Yelling at a child or putting them in timeout could cause emotional or psychological abuse, right? How you define what may or may not be abuse is another factor within all these statistics and notifications that needs sorting.

Now, when I mentioned this all to some professionals in this industry they got a bit touchy and accused me of being a bit nitpicky and trying to minimise the issues.

My point to this is surely we have to be able to measure then understand and define a problem properly in order to be able to address it correctly in the first place.

I found an interesting variation in the statistics depending on whom you asked or where you looked. So while these ones are out of date by some 4 years it will show you the trend. So let's see what CYF used to say about their own reported statistics which clearly supports what we have just covered:

The reason I am using these statistics over more up to date ones is purely because of the **6 bullet point** notes which I think help highlight where I am going with this all. In some of the latest official statistics I don't think the MSD/CYF have made those **6** factors obvious:

	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Type of finding	Number of abuse and neglect findings from investigation of notifications				
Emotionally abused	8,256	8,664	10,938	12,535	12,595
Physically abused	2,274	2,321	2,855	2,886	3,225
Sexually abused	1,194	1,003	1,126	1,201	1,505
Neglected	4,486	4,302	4,677	4,403	4,762
Total abuse and neglect findings	16,210	16,290	19,596	21,025	22,087

Notes

1. The findings of investigations completed during years ended June.
2. The numbers of investigation findings do not reflect the numbers of:

3. Children or young people involved (**more than one investigation may relate to the same individual**)
4. Notifications (**not all notifications are investigated**)
5. Notifications requiring further action (**one investigation may address more than one notification**)
6. Investigations (multiple findings may result from one investigation).

Source: Page 214 The Statistical Report for the year ending June 2011(MSD)

Just as another point the fact the notifications have gone up could also reflect the fact CYF are not acting quickly enough, or in some cases doing anything at all:

“In a decision released by Judge Dale Clarkson yesterday, it was revealed the children - aged 13, 9, 8 and 3 - suffered "repeated serious violence" despite CYF being notified **20 times in the past nine years...**”

Judge slams CYF, saves kids

AMY MAAS Last updated 12:16 **15/12/2012**

<http://www.stuff.co.nz/auckland/local-news/8085069/Judge-slams-CYF-saves-kids>

Many years later we read this:

“...The teen found guilty of the manslaughter of West Auckland shopkeeper Arun Kumar had generated more than **20 notifications with CYF**, but it's unclear whether they were followed up...”

Arun Kumar trial: Minister expects CYF review in dealings with teenager

STACEY KIRK Last updated 17:13, June 24, **2015**

<http://www.stuff.co.nz/national/crime/69676612/Arun-Kumar-trial-Minister-expects-CYF-review-in-dealings-with-teenager>

While doing the final proofing for this book this is said on **TV3 the Nation** program:

For years we've heard how the notifications were increasing. We've put more money into more social workers because they were overworked and overstretched. What the review panel has found is that now almost two-thirds of those children are now known to CYF already, **and they've been churning back through the system, so we've been creating that extra workload by not dealing with those children well and their families in the first place.**

Saturday 26 Sep 2015 1:36 p.m.

Transcript provided by Able. www.able.co.nz

<http://www.3news.co.nz/tvshows/thenation/transcript-anne-tolley-2015092613#ixzz3mqEnhH77>

Does that also not remind us of what was said earlier ingest about “**Parkinson's Law**”? Also the dangers Professor Dorothy Scott warned us about in 2006, when catching larger numbers in the nets and risk that poses for all. Yet no one at the MSD/CYF sounded the warning bell about all of this which is something I found most odd.

After a draft version (none ISBN number) of this book was pre-released in August 2015, I got a phone call from an informant within the MSD.

They said they were always aware of the issues and to break down the notifications/statistics could be incriminating for the MSD/CYF and rather suicidal for

them. So by just putting grand totals out there which reflected an overall rise in notifications without the need to explain why showed CYF were under extreme pressure.

If this gave the impression CYF were under-resourced opposition MP's would demand the MSD/CYF get given more money to hire more staff to deal with the increase in workload. They also got a lot of sympathies and to a degree that helps if they make mistakes because they are seen to not be coping given the greater workload.

The informant as do I agree with Minister Tolley's stance based on the expert Panels review (2015) of CYF for which we will talk about in much more details later.

There is little point gathering and working from notifications and statistical totals if you can't break them down so they can give you a few detailed clues.

Here is an illustration of what I mean from the latest Office of the Children's Commissioner (OCC) report in 2015:

Under the heading:

Difficulty accessing key data"

We found it very difficult to gather information about the reasons that children leave the care system. Of the **1743 children** who left CYF custody in **2014**, **284 "aged out"** of the care system when they turned 17, and **417 achieved a permanent "home for life"** foster placement. **CYF could not tell us the reasons why the remaining 1042 left care.** We know the custody order was discharged by the Family Court because they were seen to be no longer in need of care or protection, but without individually reviewing each file, CYF could not give us a breakdown of the reasons why those custody orders were discharged. **We had similar difficulty tracking down information about how many children who have left CYF care end up back in the system as a result of a new report of concern.** The lack of aggregated information about why children leave care and how many come back into the system after leaving it is a real barrier to understanding how well CYF is doing at keeping children safe and improving their outcomes long term.

Are children better off as a result of state intervention?
Office of the Children's Commissioner | August 2015, Page 48,
<http://www.occ.org.nz/assets/Publications/OCC-State-of-Care-2015.pdf>

When you look at the lack of information, therefore, variables this creates, it becomes unclear why there seems to be an increase in notifications.

Is the Increase because more children are being abused or is CYF failing them. I hazard a guess that some of that is due to CYF's own failings. If you doubt that then prove me wrong and if you look at the latest reports it becomes clear this is likely to be more of a possibility than not.

It seems astounding to me that for all the highly educated people at the MSD/CYF head office they don't seem to have shown much basic business acumen in this regard. Yet hypocritically when they dish out any money demand a higher level of accountability than they themselves supply.

Don't get me wrong I agree NGO's and alike should have to give a detailed analysis about where the money they get from the MSD via taxpayers is going. As in how and

where it's being spent and for what return it's achieving, as in better outcomes for families and children as a result... So why has the MSD/CYF not been as good at doing that themselves? I suspect to hide the real reality of what was going on.

In order to get the full picture, there are some other questions we have to know. Example, how many children get taken into care each year or how many remain there at any one time. We see those questions answered here:

About 2000 children go into care each year and there are 5000 in care at any given time.

Children's Commissioner slates CYF care UPDATED
Thursday 27 Aug 2015 6:37 a.m.

Read more: <http://www.3news.co.nz/nznews/childrens-commissioner-slates-cyf-care-2015082706#ixzz3l6TP8zCD>

So given the increases in notifications, intake of children going into CYF care and drop offs and the overall average number of 5k being there at any one time, what does that tell us, if anything?

Some children end up being in and out and going through the system many more times than ever needed to have happened. The children get dumped in a rushed placement as a quick fix's and the Social Worker runs to the next case, hoping the placement will work out for them. Then, if it goes wrong, the placement falls apart and the Child and Social Worker are right back to square one again. I can't count the amount of times I have seen this happen. That's hardly being child-centered or improving their wellbeing as I see it.

Then if the family are unhappy about the placement or see it is not working the notifications can start again. It's often easier to lodge a new notification than to track down the Social Workers. Then when nothing appears to happen people keep on lodging even more notifications until something is seen to be done. Could this perpetual cycle actually be what is warping the notification statistics and masking the real story being told by them? Could this be why CYF lack the data as Dr Wills noted in his 2015 report? This does reflect rather badly on CYF after all.

You will note from the 2011 statistics that emotional abuse makes up the highest numbers and I have been at a loss to get a straight answer about what's deemed to be emotional abuse. I have been given many answers, but it seems no one definitive answer that everyone can agree on is my point. So if emotional abuse has a very wide scope then you are catching more in your nets. So is that what is exacerbating the problem as Dr Scott pointed out can happen?

Here is more information that supports that trend:

...the number of distinct clients, with substantiated abuse, by type from **2008 - 2012. Sexual abuse** accounts for the smallest proportion (**6.7% on average**) of cases while **emotional abuse is the most common (54.6% on average)**. Sexual abuse and neglect have been relatively constant during this period, but the number of emotional and physical abuse cases has risen...

Source: Child abuse: an analysis of Child Youth and Family data
A Child Poverty Action Group Monograph

The reason why I kept warning people that when they talk about notifications or statistics increasing one needs to find out the reason why they went up or down in order to understand the issues behind them. Referring to the Expert Panel report of 2015, Minister Anne Tolley had this to say:

...So what the panel's report showed us is that a great deal of the work and the increase in emotional abuse has almost been caused by the system itself...

Monday, 28 September 2015, 11:13 am

Press Release: Television New Zealand

<http://www.scoop.co.nz/stories/PO1509/S00373/state-may-need-tougher-line-on-contraception-tolley.htm>

So it seems that CYF made a rod for your own backs as the saying goes. That statement from CYF own Minister is rather telling. The Minister also went on during that interview to state the obvious which is **"...The state isn't a good parent..."** It should be obvious by now that some of the rises in notifications or statistics was as a result of the system itself that CYF work under. Many children after CYF intervention often went from the frying pan into the fire it seems.

I did read one report that suggested New Zealand over-reports child abuse depending on how you define it that is.

This could be one of the reasons why the Government did not bring in mandatory reporting of suspected child abuse because the net would have been cast too wide, and CYF would be unable to cope with the flood in demand. Sometimes you have to trust professionals like doctors, teachers and alike to use their own judgments in that regard...

So I hope that all makes sense and gets you thinking next time you hear people talking about the Statistics and Notifications. It pays to look at what's being said and asking what they mean when you break it all down if that is possible.

Also to state the obvious the MSD has a well-known track record of not gathering certain information/statistics when it suits them or their political masters.

Example:

About 2000 children hit when parents lose benefits

Updated at 8:31 pm on 9 October 2015

"New data shows about 2000 children on any one day are living in households where their parents have lost up to half their benefits because in most cases they have failed to turn up to an appointments"

Do listen to the story online via the below link as it gives a good perspective:

<http://www.radionz.co.nz/news/political/286553/about-2000-children-hit-when-parents-lose-benefits>

Given what we know about caregivers keeping statistics about how the sanctions might impact upon children in beneficiary circumstances might be helpful because of this:

- **33 per cent** of non-family/non-whānau caregivers currently receive a benefit; and
- **47 per cent** of family/whānau caregivers currently receive a benefit.

High proportions of caregivers on a benefit are a concern in that children with high needs are placed in low income households where resources may already be stretched.

Page 74, Modernising Child, Youth and Family Expert Panel: Interim Report 2015

As the MSD administer benefits via Work and Income they should be able to measure the impact of their sanctions on children somehow I would think.

The MSD don't ask the questions because they don't want to know the answers if it makes them or their Government's policy look bad it seems.

Now back to the main part of my original submission

The main focuses of my concerns are:

- I would like to raise the systemic issues, that once people become entangled in the CYF net it is incredibly hard for people to get out of the CPS.
- Families need support and help, the focus should not be about families being torn apart but rather on keeping families together and building a stable loving environment when that is safely possible.

In my view, CYF has unbridled power where they can greatly exert their authority over many families in cases where intervention may or not be needed as time will tell.

CYF have powers similar to the Police but without many of the checks and balances that try to control police processes or behaviours.

CYF like the Police:

- Investigate complaints.
- Conduct interviews.
- Gather evidence.
- Apply to a Family Court Judge for Warrants for the purpose of executing uplifts of children and young people. *Or with the assistance of a police officer, can uplift without a Court Order.*
- CYF then make a case for the Family Court.

This seems parallel with what the police do in civil matters but with one major exception. As Celia Lashlie said during her appearance on TV3, 60 Minutes Wednesday, 08 Sep 2010, that CYF have “**unbridled power**”. There is no independent Complaints Authority for people to go to in order to get grievances addressed, as I can prove without any doubt over the first two chapters of what has now become a book.

There is nor has they even been no simple, quick and easy mechanisms are in place when issues arise and need to be resolved, which makes CYF ultimately unaccountable which is why the term “**unbridled power**” is used. When I exchanged the same concept of “unbridled power” to the CEO Mr Peter Hughes, he kindly responded as follows:

"It is important to remember that Child, Youth and Family does not act alone in these situations and certainly does not have the "unbridled power" that you refer to in your email. An initial level of evaluation is the regular clinical supervision provided to allow social workers and their professional supervisor to reflect on, and review individual case-management practice where necessary. Child, Youth and Family works with the Family Court which finally determines whether a child should be permanently removed from parents, and which is empowered to determine whether, in the event of a dispute, a temporary removal of a child is justified. The court is also involved in approving access and supervision arrangements for parents. Psychologists and independent lawyers appointed to represent the child are also involved. Equally importantly, so are extended family members throughout the Family Group Conference process. There are many checks and balances, as well as avenues for complaint and appeal independent of Child, Youth and Family"

Source: Letter Dated 27 OCT 2010 to Graeme Axford for MSD-CEO, Mr Hughes.

CYF often claim they don't make decisions in isolation but have a raft of measures, processes and people they consult with. Therefore claims they do not act alone and there are many safeguards and processes that can be relied upon to ensure the best possible outcome for the child/young person in their care, and the safety and wellbeing of them are paramount. *(If you read Chapter two and First official conclusion on **page280** will see how out of touch with reality that statement is.)*

I will show step by step and highlight what I see as inherent flaws within the systems that CYF claim to guide them and in doing so prove how wrong Mr Hughes is.

Since Mr Hughes wrote to me back in 2010 I have waited a long time for CYF to come up with a statement that reflects what the then CEO Mr Hughes views were and here it finally is:

CYF regional manager John Langley said: "Child, Youth and Family's role is to promote the best interests of the child. **The Family Court ultimately makes decisions** around custody of a child, taking into consideration the views of those involved.

"This includes Child, Youth and Family **social workers, parents, legal guardians**, the **Counsel for Child**, and any other parties the court wants involved."

Boy 'used as cash cow'

Tuesday, 29 September 2015

Source: http://m.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11520429

Please do follow that link and read the entire article as it is a shocking story....

In another section, I will cover how CYF make the bullets for the Family CourtS/Caught\$ and then get others to fire them. CYF clearly can and do manipulate the Court system for their own ends.

Anyway, it seems ironic that whenever CYF are asked any difficult questions they use other people's Privacy as the reason they can't answer to hide behind themselves. I think this next quote sums CYF up:

"When it comes to privacy and accountability, people always demand the former for themselves and the latter for everyone else."

David Brin

Care and Protection Resource Panels (CPRP)

I should point out in my original submission; I did not go into what a CPRP was because that was already known to us. But for the general public here it is:

What are Care and Protection Resource Panels?

Care and Protection Resource Panels are statutory bodies under the Children, Young Persons, and their Families Act 1989. Panels are funded by Child, Youth and Family and comprise members from the local community who have professional, community and cultural knowledge and experience of children and young people including:

- Education e.g. teachers, school guidance counsellors
- Health e.g. doctors, plunket nurses, mental health workers
- Social services e.g. family violence, intervention workers, victim support workers
- Iwi social services
- Cultural advisors
- Youth services e.g. youth aid workers
- Family Court e.g. lawyers.

When do I consult?

As a social worker, it is your responsibility to consult with the Care and Protection Resource Panel as soon as possible after the commencement of an investigation (**s17 (1)**) or child and family assessment. Their broad communities focus and expertise in specialist areas can assist in working with family/whanau and inform your assessment and decision making.

Information provided to the panel will include that which is contained within the child and family consult, the completed safety and risk screen and the Three Houses (where these have been completed).

Social workers may also consult with the Care and Protection Resource Panel on cases other than investigations, and child and family assessments on a case-by-case basis.

The care and protection co-ordinator is required to consult with the Care and Protection Resource Panel prior to convening a family group conference (s21

(a). The purpose of this consultation is to seek advice such as who the family/whanau are, or to discuss any issues such as the adequacy of information givers, the conference venue, or the exclusion of entitled members. The coordinator will also report the outcome of the family group conference back to the panel.

Keep a record of the consultation and any advice given. It is also important to record what action you take as a result of the advice provided, and an explanation if you do not follow the Panel's advice.

Updated 22 September 2013

Source: <http://www.practicecentre.cyf.govt.nz/policy/assessment-and-decision-making/key-information/working-with-the-care-and-protection-resource-panel.html#WhatareCareandProtectionResourcePanels1>

So hopefully you will see why they play such a vital role.

Now back to what was in my original submission.

When questioning Mr Peter Hughes about the **CPRR**, he replied as dated **27th of October 2010**:

1. 65 Care and Protection Resource Panels nationally.
2. Panel members are appointed by the local site manager.
3. Each panel self-reviews its performance by seeking feedback from the site manager and site social workers.
4. Panels are subject to annual review by the local site manager and to a two-yearly review by Child, Youth and Family's General Manager, Operations.
5. For the year to 30 June 2009, the total amount of fees and expenses paid nationally in respect of Care and Protection Resource Panels was \$393,961.
6. Child, Youth and Family have not established set rules for how the panels should operate.
7. The panels run their own process so the process is likely to vary from panel to panel.
8. A record of these recommendations is noted in the Child, Youth and Family case file database. There will be variations between sites as to how detailed that note is.
9. While the panels have no direct decision-making power, the law requires social workers, Care and Protection Coordinators, and the Police to seek the advice of the panel at certain critical stages in the care and protection process. Officials are then accountable for their response to that advice.

Ok, let's take a closer look at what I see are the issues given in his reply. Because of the pivotal role CPRP have to play within the CYF system the answers from Mr Hughes are hardly inspiring in my view, and also pose a problem.

First, the local site manager runs the office and controls the Panel that is meant to advise their office.

Does that not seem like a conflict of interest? This could have the ability and appearance to suffer from nepotism and cronyism, at its worst. Some people on the CPRP work for organisations directly funded by CYF, so they have a vested interest in keeping the investigation going there for clients in the system for longer than otherwise might be needed.

Mr Hughes response also makes me think, *there could be a lot of inconsistencies between the CPRP as they can run however the local Site manager wants them too.*

There was a media release under the heading **"Turner exposes CYFS crisis"**

Thursday, 8 February 2007, 2:19 pm

Press Release: United Future NZ Party

United Future Family spokesperson Judy Turner today revealed the entire oversight panel in Tauranga that reviews the work of the Child, Youth and Family Service in the city has been sacked - by the Tauranga CYFS site manager.

"I'm informed this extraordinary action was taken because the manager thought the panel was too confrontational and too critical of CYFS staff," said Mrs Turner.

"The job of the Care & Protection Resource Panel is to advise social workers responding to notifications, and to ensure that the standard of social work practice is sufficient to ensure the safety of children."

"The panel has recently criticised the decision by site management to withhold some notifications from the panel, where the decision by social workers was to close the notification."

"The panel believed that this may lead to unsafe practices for children. Even when an attempt was made to rectify this concern, the panel still ended up being expected to rubber stamp cases that had been already closed, contrary to the Act, which requires the panel to provide advice on all notifications."

"The problem seems to be driven by a government policy that requires there to be no unallocated cases."

"This sees social workers focusing on output rather than outcomes based on quality social work. Even once an intervention has happened, the department seems to change gear and focus on their new policy of strongly encouraging foster parents to assume the care of the children under the Care of Children"

Act, a policy driven by budgetary aims rather than the best interests of children."

"The Tauranga Resource Panel certainly seemed very concerned about inadequate social work in many cases."

"I am concerned that the site manager has been able to fire the entire panel against the Department's own guidelines which state that a third of the panel must be retained."

"Surely we don't want to see these panels muzzled in any way that ends up making a mockery of the whole process."

"This is surely further evidence of the urgent need for an independent complaints authority to look into complaints against CYFS," said Mrs Turner"

Source: <http://www.scoop.co.nz/stories/PA0702/S00099.htm>

I have to ask how many times this kind of thing has happened, and the fact it did once should be of concern if the CPRP can be sacked at will, by the local site manager of the area.

I asked Mr Hughes if they had statistics on CPRP member turnover and to my surprise they do not gather that information, even after what was then 21 years of these panels operating.

I think this poses a number of problems and issues because the CPRP can be sacked at will it seems and replaced if they questions CYF too much, so no issues show up on the radar. It seems CYF have the luxury of choosing who they want to get advice from therefore could have the ability to appoint lackeys or puppets to those roles.

From further research it appears people have been questioning the value of CPRP for some time because **Judge Brown said in December 2000** that:

"The role, effectiveness and reporting lines of Resource Panels be evaluated."

Link: <https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/archive/2000-care-and-protection-is-about-adult-behaviour.pdf> **December 2000**

Source: *Former Principal Youth Court Judge Mick Brown, Care and Protection is about Adult Behaviour" A Ministerial review of the Department of Child, Youth and Family Services.*

Even the **O**ffice of the **C**hildren's **C**ommissioner (OCC) gave me a lacklustre response when I tried to inquire about their views on CPRP. Yet they are meant to monitor how CYF apply the Children, Young Persons, and Their Families Act 1989 which encompasses the functions of the CPRP. When I asked if they knew about what happened to Tauranga, CPRP in 2007, when the Panel got sacked, it appears the OCC, did not meet with any of those sacked CEAP members. In fact, it's become clear the OCC were not at all notified this had happened. So it's hard for me to see how the Office of the Children's Commissioner is doing that good a job of monitoring CYF. Given that CYF appoints who can be on the CPRP, this must

reduce the chances of people willing to speak out against them somewhat slimmer I would think.

To date this is snippets of what I have come across which heightens my concerns rather than alleviates them about CPRP, as follows:

A review of **Care and Protection Resource Panels** was conducted as a specific area of action under the **Care and Protection Blueprint 2003, and a “Consultation Summary Report” 2003** was produced and this is snippets of it.

From that report, question asked followed by answers:

Question 10: How important is it to bring a multi-disciplinary and community perspective to care and protection processes?

“Some Respondents felt that CYF staff only consult with the Resource Panel to meet their legal obligations”, and “Resource Panels need to be seen to be more “independent” of site office management, especially concerning budgets”.

Let's face it anyone who controls the purse strings has a lot of power and can withhold resources to ensure meetings don't happen as regularly as they could or should.

Question 18 Should Resource Panels be funded by, and accountable to, CYF?

“A similar idea was the introduction of a type of Resource Panel member performance review process associated with the Annual Report process”

Exactly my point, there was and still is no real review of CPRP, and any such reviews should not be done by CYF, nor the Office of the Children's Commissioner's (OCC) because they have allowed things to continue for so long like this.

Question 21 Are the current mechanisms for addressing problems that Resource Panels encounter sufficient?

“Overall, only 38 percent of Respondents agreed that the current mechanisms are sufficient to address any problems that Resource Panels encounter, compared with 43 percent that disagreed and 19 percent that were not able to make a judgement.”

Just as a note, that's 63% who are saying they don't think CPRP mechanisms are sufficient to address any problems, that's a rather bad result and should serve as a warning in my view.

Following on from others answers to Q 21 as above:

- a) *“Some Respondents were not aware of the current mechanisms for addressing problems. Other Respondents made suggestions for improvement, for example,*
- b) *“Introducing performance review procedures and formal evaluations to assess the effectiveness of Resource Panels”*
- c) *“It was also suggested that the appropriateness of the mechanisms depends to some degree on the attitudes of the CYF site, the value placed on Resource Panels and the levels of energy, goodwill and time”*

Question 22: Is there anything else that you would like to tell us about Care and Protection Resource Panels?

“The process for selecting Resource Panel members needs to be more open, transparent and based on clear criteria or guidelines. The Resource Panel should be involved to provide community representation, along with the local CYF office and the Chief Executive (via head office representative). The reappointment process also needs to exhibit the same features”
 Resource Panel meetings should have independent (professional) chairs”

Again to emphasise the obvious, these responses reconfirm that the CPRP lacks independence, reviewing processes and scrutiny outside of the local site managers.

While they do report higher up the chain it's all internal and a closed shop it seems. The Local site manager picks and maintains the panel, to give advice to their office and staff. Then the local site manager does a report on what's happening within them. The Local site manager has the most to gain from a favourable report, therefore, could be inclined to sanitise it. This is not rocket science and clearly designed to keep things in-house which I don't see as being in the Public or client best interest overall.

Source: Care and Protection Resource Panels, Consultation Summary **Report 2003**.

<http://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/archive/2003-care-protection-resource-panels-consultation-summary-report.pdf>

So you will see from Judge Brown's report of **2000** and now the MSD's review of **2003**, a bit of time has passed with little changing. Is that not the MSD and CYF way? Other research also backed up the claims the CPRP were not that useful as follows.

The next few quotes to support what I am saying are by **Tony W. Stanley** as follow:

“Wood (1992, p. 10), in her review of CPRPs, found that some social work staff censored material “to manipulate or shorten the process” of consultancy with CPRPs”

“As Connolly (2005) notes, relatively little research has been undertaken into the effectiveness of CPRPs”

“What is known is that the quality of discussion between social workers and CPRPs is dependent on the information provided to them by the social worker (OCC, 2003)”

.... “Manipulating the CPRP to expedite a process produces new risks for the children and families subject to the assessment practices of social workers.....”

“Overall, the social workers from this study did not regard attending the CPRP as a helpful process in their consultancy around the assessment process. Rather, the panels were regarded as a regime of justification for the social workers’ actions and planning”

“I don't actually think Care and Protection [Resource Panels], at any stage, were particularly helpful, it just seems to me that it's something that we have to do. They seem to just accept, I find anyway, accept us. I mean, I might get the odd question from them, it's quite rare really. (Social Worker 66)”

“For a small number of social workers, who welcomed the involvement of the CPRP in assessment work, there was an emphasis on consulting to legitimise their practice”

“For the majority of workers in this study, supervisors, CPRPs, and colleagues provided little critical challenge to the decisions being made in the assessment process. Social workers presented their accounts of the issues, and these were validated by supervisors and panel members”

Source: Making Decisions: Social work processes and the construction of risk(s) in child protection work, Tony W. Stanley. School of Social Work and Human Services University of Canterbury, 2005

http://ir.canterbury.ac.nz/bitstream/10092/902/1/thesis_fulltext.pdf?origin=publication_detail

After reading Tony’s research, I hope by now it has become obvious how CYF can circumvent the processes and the processes are only as good and honest as those people working within them as the sacked CPRP from Tauranga found out.

The MSD, themselves said:

“There was scope for improvement to enable Resource Panels to meet their full potential” (MSD, 2003, p. 2)

Source: www.msd.govt.nz/.../care-protection-resource-panels-consultation-summary-report.pdf

What’s more we are told that “In the absence of meaningful dialogue, the consultation has the potential to become a “rubber-stamping” exercise.”

Te Awatea Violence Research Centre’s Newsletter ISSN 1176-5259 Volume 3 Number 1 July 2005

Source: [www.vrc.canterbury.ac.nz/docs/July%202005%20Te Awatea Review.pdf](http://www.vrc.canterbury.ac.nz/docs/July%202005%20Te%20Awatea%20Review.pdf)

However, it must be noted that CPRPs are only mandated as an advisory committee. That is, CYF Social Workers and the Police do not have to follow the advice given as

CPRPs do not have decision-making responsibilities. Maybe that's why they are not taken seriously and do not, in general, attempt to seriously exercise oversight of CYF actions from what I have been told by people that have been on them.

Other researchers also suggest that:

"The author proposes that CPRPs should be uniformly regulated so that no matter what area of the country that a CPRP is meeting they follow the same procedures/guidelines"

The Chairperson has been on the panel for 8 years and she believes the greatest challenge lies not in the decisions themselves, but in resources/funding issues:

She states:

"What tends to happen therefore is that the outcomes/decisions made for child in need of care and protection may get made in the best interests of funding, rather than in the best interests of child"

Source: Child Abuse Prevention in New Zealand: Legislative and Policy Responses within an Ecological Framework" by Maree Cutler-Naroba, University of Waikato 2006

Thesis Source: <http://hdl.handle.net/10289/2514>

On a more personal note, one Social Worker I showed this research to said they often circumvent the CPRP by sanitising the information that goes before them and trying to leave it until the case is nearly closed before they tell the CPRP anything. They said there are no clear guidelines stating what points the Social Worker must present before the CPRP. They said given their workload, which includes court days, FGC's days, home visits, copious amounts of paperwork, and then the interruptions because another emergency has happened. They honestly don't get time to do their job properly so take any and every shortcut they can. They also have to fill in for other staff, then they suffer psychosomatic stress that affects their wellbeing and their work and so on the cycle goes. They agree the workload compromises the quality which creates risks for everyone. They agree the sheer number of notifications they have to deal with is the biggest problem they face given their resources.

I just wanted to add into this as an updated that proves the CYF staff are overworked as the MSD finally did a Workload and Casework review. It was a Qualitative Review of Social Worker Caseload, Casework and Workload Management May 2014 Office of the Chief Social Worker. Link: <http://www.msd.govt.nz/documents/about-msd-and-our-work/newsroom/media-releases/2014/workload-and-casework-review.pdf>

I do have to question why it took the MSD so long to undertake this study and more so given it seems to have been in reaction to the Howard Broad review of CYF we will cover later on.

So in conclusion, CPRP don't seem to be that good a safeguard as the quotes I have given from the various research, seems to suggest, and call into question their effectiveness. I have a lot more research than I have mentioned here but for expedience sake will leave it there.

*A few years after my submission was online (in 2011) someone from the **Care and Protection Resource Panel** contacted me in the hope I would add their views as it confirmed what I had previously said.*

This informant had been on a CAPRP for more than 4 years is all I can say about them as to identify them could have repercussions for obvious reasons I will not elaborate upon. But if you read all the chapters of this book will be alluded to the kinds of things I might be referring to.

Their views could well be an isolated or, in fact, more widespread throughout the CAPRP regime as it's sometimes referred to. We have no way of really knowing but for what it's worth here are the insider's views.

*This CAPRP member claimed that "often the panels become a bidding war for services". By that they meant most people on them have a vested interest as they provided a service or were employed or contracted to deliver something in this field for the **Child Protection Industry** as they called it. So if the CAPRP deem no further action needed to be taken then that's one less client for their service. They also felt persuaded by the others to agree with them and not go against the grain if they wanted to remain in favor and on the CAPRP.*

So the MSD/CYF and the Government are wasting money on something that is fundamentally flawed. In Mr Hughes response to me (*letter 27th of October 2010*) about the CPRA costing **\$393,96**, year to **30 June 2009** that seems like a waste of money to me. They have been paid for 26 years as a token gesture. I have as yet to meet a Social Worker that praises the CPRP. However, the Social Workers can't be seen to criticize the CPRP either as they might get it in the neck in return for doing so as has happened before.

What does **F**amily **G**roup **C**onferences really do or mean?

Does **FGC** mean "**F**amily **G**roup **C**onferences" or "**F**oregone **C**onclusions?"

Ok CYF often talks about FGC's and getting the families involved and it all being Child centred so let's see how those claims stack up.

The 'foregone' is because, CYF can choose who can or can't attend, what information will or won't be presented, (screening) CYF can choose, when and where, and the duration of the conferences. Excluding people can be done in the most subtle of ways because CYF can favour a time that suits the people they want to attend, therefore by virtue of that exclude those they don't want to attend. Invitations get lost in the post or family members get forgotten about who might not suit CYF agenda.

Then again the FGC coordinator normally takes the upfront and blatant approach knowing they can't be overruled or appealed, which I might add is by far the biggest problem with the planning of FGC's. My understanding from the way CYF see things after trying to complain about some coordinators is that not even the local site manager can direct the FGC coordinator as they are seen as an independent role within CYF. They have the full and final say on how the FGC, will be run, like it or not.

CYF can rush the FGC process into trying to make a quicker decision, by booking people's flights from outside the area, so they arrive one day and leave the same, yet the family is meant to get as much time as necessary.

Some FGC coordinators have been known to withhold relevant information that could if the family was made aware of it at the time, alter the outcomes. Or they can do the opposite by deluging and swamping the family with information to the point of overloading, in the hope they blow a fuse.

By these factors alone CYF can help predetermine the outcome. Let alone the fact it's their almost unquestionable version of events that can be based on hearsay, anonymous complaints or dubious interviewing tactics with children, (loaded or leading questions).

CYF will tell you over 80% of FGC's result in a family agreement being reached, so yes, if you can stack the deck, in those and other ways it helps.

That's why when CYF break down their statistics by saying a certain number of cases required follow-up or follow through I have my suspicions about what is meant by that. If an FGC is required that's considered further action. Then if the outcome goes in CYF favour is substantiated to justify their involvement regardless of the tactics used. **I think that's very unethical if this happens under those pretences as I described above.** Let alone, how things can be played out in the Family Court as I will soon explain.

CYF can set the FGC up to get the final say if the family can't agree on a plan, another option is to have warring factions so the process breaks down and it turns into a tit for tat, slagging off session, so the people in the room can't get past their own problems and move on to making progress like they are meant to be doing. That also plays into CYF hands as well they know.

CYF own web page tells us that after the FGC:

"The coordinator has responsibility for seeing the plan is reviewed. If it is not working, or circumstances change, the coordinator must be told immediately and another FGC may be called"

This next bit really made me laugh because it shows the difference between the theory and reality being two different things.

"Please note that any two people who attended the Family Group Conference can request the Care and Protection Coordinator to reconvene the Family Group Conference if they have serious concerns for any reason that cannot be resolved informally"

Source: Pamela Putland Care & Protection Co-ordinator prepared this information, Children Young Persons & Their Families Service Otago
www.hrs.org.nz/fostercare/Files/FamilyGroupConferences.pdf

As for trying to get another FGC, reconvened CYF favour a review of plan or family meeting instead as it's cheaper, as they can be run by a social worker and does not have the same legal standing as an FGC. Or they will trick people into saying a

family meeting is a type of FGC, run under a slightly different process without the coordinator.

After the FGC, what the family agree on and then ends up before the judge can be two different things. CYF get to edit, abridge the final version of the FGC report that is set before the Court therefore again they can manipulate the system if they are so inclined.

This is how FGC's are meant to happen:

The challenge to the Department of Social Welfare from these findings is to minimise the degree to which things go wrong while maximising the benefits from the process for the families involved

Source: M. Gilling, L. Pettersen and B., Walker (1995) Family Members' Experiences of the Care and Protection Family Group Conference Process, Social Policy Agency, Wellington.

These next quotes are the ideal, but far from the reality - I have ever witnessed:

“Family empowerment will occur when there is a genuine partnership between the family and the professionals”

Source: Social Work Now/Number 11/December 1998 page 17
www.cyf.govt.nz/documents/swn11.pdf

I have to agree with both the above quotes and they are the very things NOT happening that are causing many of the issues that arise from FGC's.

Countries all over the world which use our FGC model are all experiencing the same issues as professional research to come will show.

“It seems there has been a slide back toward the traditional bureaucracy-centred (as opposed to family-centred) approach.”

Source: www.bcjusticereview.org/working_groups/family.../survey_07_15_04.pdf
The Canadian Bar Association (CBA) has since removed the link

New Zealand has very much gone that way as well. Considering we used to be at the cutting edge of Social Work concepts it's sad to hear the only cutting is to the budgets and at the expense of the model itself working properly.

Getting back to my opening point for a moment around what Professor Scott said about nets and how this all ties in. When you cast your net far wider you catch even larger numbers of people in them, the costs for sorting and processing them goes up exponentially with that. Therefore without an increase in staff and resourcing one might be inclined to take shortcuts more so if no one checks up on you. The quicker you can ram an FGC through the system so you can move onto the next case the better for the organisation even if in doing so things become less humanistic and a more bureaucratically driven system it becomes in doing so.

As FGC participants are not often asked for proper feedback CYF gets away with this more often than not in my view. This is exactly what is happening without any exterior review from what I see and hear from all over New Zealand. The next few quotes are about what the FGC processes are meant to be like:

“All of our practice experience tells us that better plans emerge from family group conferences when family members attend in significant numbers... levels of attendance will be dependent on the availability of resources to assist families to travel and be away from work, sometimes for days on end. Our failure to recognise this and to ensure that funds for convening future conferences were protected and grew over time has had a significant negative impact on the process.

“The corruption of family empowerment philosophy into something that is organisationally and professionally more comfortable can happen almost without anyone being aware of it.”

THE FAMILY GROUP CONFERENCE 14-YEAR JOURNEY: CELEBRATING THE
SUCCESES, LEARNING THE LESSONS, EMBRACING THE CHALLENGES.
Saturday, 5 March 2005

Source: http://www.iirp.edu/pdf/au05_pakura.pdf

Just to further support my views. I come across a document called **Family Members' EXPERIENCES OF THE CARE AND PROTECTION FAMILY GROUP CONFERENCE PROCESS** written by Bryony Walker, Social Policy Agency. Dated **06 July 1996**: Below are quotes from that:

Under the appropriate headings below is more research surrounding issues people face during the FGC, to support my claims:

Flow of Information

“---Others felt that having insufficient information placed them at a disadvantage in thinking about options for resolving the situation and in knowing what sort of help was available to assist family members....

.....During the conference some family members were concerned to hear information presented which was new to them. In these instances the family members had not had time to think about this information and how it might affect possible course of action.....

Who Should Attend the Conference?

...A number of family members thought that the process for deciding who should attend the conference had not gone well...

....Generally one family member was asked to provide a list of members of the family, rather than being asked who they thought should be invited to the conference.....

.... Decisions about who is invited to the conference need to be managed carefully.....

Role of Officials

... Some family members considered that some officials had unduly influenced the discussion and the outcome of the conference, some thought the social worker had strong views about what decision should be made, and others had felt pressured by some officials to come to a particular decision.....

... Some concerns centre around social workers' actions. Some family members said that the social worker had not listened to them or believed what they said....

Management of Relationships

... Some family members in some conferences difficult relationships between some family members led to tension, disagreement and arguments, making it more problematic for family members to focus on decisions about the care and protection situation..... Felt unfairly treated and unfairly questioned by other family members during this time....

Procedural Concerns

...Concerns about procedure centred on the co-ordinator's chairing of the conference, the focus of the decision making, and implementation of the decisions. There was also some concern about the timeliness of the proceedings....

... Some were unhappy that the focus in the conference was only on the child or young person to the exclusion of other relevant issues, while others thought the focus had wrongly been on other family members or other issues....

Resourcing Decisions and Plans

... Some family members were also frustrated that the onus for resolving the situation was placed back on them when they had already called on the help which was available or had concluded that the help they needed was not available within the family group.....

... Others considered that the department seemed reluctant to provide financial help to access services which were agreed to at the conference....

Source: <https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/journals-and-magazines/social-policy-journal/spj06/spj6-family-members.doc>

I believe that the FGC process has been corrupted and is now a bureaucratically driven process to meet the requirements of the law, budgets and other constraints, rather than the needs of the Child/Young person and Families.

However, CYF and MSD seem to have done very little if anything about these problems to resolve them to date. Like Dr Scott's information, they put it out there and seem to do little about taking it on board or attempting to make changes themselves.

Updates about FGC information since 2011:

On **September 2012**, a report about FGC's was prepared for the Minister of Social Development by the MSD/CYF. When Radio NZ found out about it their Nine To Noon program requested a copy under the Official Information Act on **October 2013**. It took until Monday **4 August 2014** for that to be released nearly some 2 years later. You can hear more about this from clicking on this link and via **MP3**. The running time is 18-minutes and 55-seconds.

Source: <http://www.radionz.co.nz/national/programmes/ninetonoon/audio/20144200/report-finds-shortcomings-in-cyf-handling-of-family-group-conferences>

You can find the actual report referred to here: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/evaluation/review-family-group-conferences/index.html>

This report is very damning and actually supports everything I said about FGC's in my 2011 submission.

The fact the MSD and CYF tried to keep that report a secret in my view shows how they try to cover up their failings rather than addresses them.

I also recommend you Google **Paora Crawford Moyle** who has done some amazing work and research in the field Social Work and Social Services from a cultural perspective.

Here is her web page <http://www.moaintheroom.maori.nz/>

In my view, there was already a lot of telling research done on FGC's long before the MSD/CYF did their own. They MSD/CYF seem to like reports for the sake of At the end of the day they MSD uses the excuse of doing reports to buy them more time and achieve little in-between or afterwards. I have as yet to see anything change about the way FGC's are run or families treated as a result of that report's recommendations here in 2015.

I just wanted to add a little note which shows how CYF take advantage of things. This is to do with notetaking at FGC's. Many people are told they can't. Well let's see what CYF have been advised about this:

"...An FCG coordinator can't insist that participants don't take notes, or insist that notes are handed over at the end of the FGC, but they can discuss and remind people about maintaining privilege/non-publication requirements. If someone insists on taking notes, the coordinator can remind them that publishing a report of FGC proceedings is an offence and can result in a substantial fine"

Need 2 Know -Issues 234 Dated 8 May 2012.

The need2know is a magazine is an internal publication to advise the CYF staff about issues they need to know about. I can provide anyone with a copy of it.

Some FGC coordinators have stopped FGC's because families were taking notes and others threatened to do so if they don't stop. Why because if you dispute the report from it put before the judge and only working off your memory rather than

notes, unlike CYF you are at a distinct disadvantage over them. I mentioned these issues to CYF on countless occasions but it still counts to be a problem. That's just one of the many tactics CYF can use to again ever more of an advantage over the family and disempower them. If I was to write down everything I have seen and heard this book would be the never ending story...

Family Court or Family Caught\$

Let's look at the Family Court systems and processes. Including but not just limited to Legal Aid and Council/Lawyer for the child. All of these things impact on whether or not people can get a fair hearing in the Family Court to start with.

It was noted in the Dame Margaret Bazley report that:

"There already appears to be a trend towards people adopting a "do it yourself" approach to legal representation, including taking advantage of online forms to prepare and file their own legal documents. While self-sufficiency is a laudable goal, legal representation can help ensure that people's rights are protected, as the complexities in the legal system do not always lend themselves to "do it yourself" practices. Legal matters can be complex, and the involvement of experienced and competent lawyers can be of benefit to both parties and the court. Self-representation is a growing trend in the Family Court and is causing problems for that court. It was raised as an issue by nearly every one of the family court judges and caseload managers to whom I have spoken. This illustrates that changes to the Legal Aid system need to be considered within the justice system as a whole, particularly where they could result in more unrepresented litigants"

Source: Transforming the Legal Aid System: Final Report and Recommendations

Author: Legal Aid Review, Chairperson: Dame Margaret Bazley DNZM, Publisher: Ministry of Justice,

Place of publication: Wellington, Date of publication: November 2009, ISBN: 978-0-478-29080-2

Self-representation happens often because of issues around getting Legal Aid or a lawyer. People often end up having to take on the case themselves and given they don't understand the legal jargon used, they are at a massive disadvantage, let alone their personal connection to the issues. I think it is morally wrong and unjust to expect people to represent themselves out of necessity rather than choice because in the civil/criminal Court people are advised to get professional representation. Time and money are allocated to prepare a defence. Why should the Family Court be any different? Especially given the normal rules of evidence don't apply or burden of proof etc...

If I assault someone and I can prove I meet certain criteria for Legal Aid, a duty solicitor would likely be appointed to help. Why should the Family Court be any different?

Defending oneself in the Family Court is really complicated as I will now try and give you some of the many different factors a Judge might consider when coming to a

decision. This is not intended or given as legal advice merely a point of discussion in the hope it might be enlightening to you all.

The following is from a document called **“Above and Beyond the Best Interests of the Child”** by Professor Mark Henaghan:

Source <http://cppe.massey.ac.nz/papers/cppeip04/cppeip4j.pdf>

*“The **“unacceptable”** and “real” risk tests mean that unless the risk can be dismissed the Court will have to take it into account. Thomas J in S v S said that the Court should be “completely satisfied” before dismissing an allegation of sexual abuse. Psychological evidence will be called to assess whether the children show what are called “indicators” of sexual abuse. The philosophy is to err on the side of safety.*

The law presumes he is unsafe with the children because of these acts, unless the risk assessment and other evidence show otherwise”

Rules

“The case by case, factor by factor approach depends totally on which factor or factors the particular Judge wants to emphasise. For example in Powell v Duncan the Family Court emphasised cultural well-being over stability of environment. The High Court on the same facts emphasised the stability of environment over cultural well-being. In J v A in the High Court the “parental alienation” of the mother and the need for the boy to see his father were emphasised over the continuity of environment with the mother”.

“The Court of Appeal emphasised continuity of environment over the parental alienation and father/son relationship. As more factors emerge the possibility of different results on the same facts becomes even greater”.

“The factors themselves have become more dependent on findings which are not strictly findings of fact, but findings based on social science theory such as “bonding”, “attachment”, “psychological parent”, “parental attitude”. An example of the powerful effect psychological theory can have is the famous case of Painter v Bannister”.

“The case was between a father and his grandparents. The children had been living with his grandparents. A psychologist gave evidence that the grandparents were the psychological parents and that “the chances are very high [the child] will go wrong if he is returned to his father.” How can anyone make such a prediction?”

“These are similar trends in Australia, the United Kingdom and the United States of America, to provide lists of factors which when looked at closely are not amenable to findings of fact. For example “capacity” of parents and “attitude” of parents are matters of opinion rather than fact. A factor such as the “effect” of change on a child can only ever be a matter of speculative opinion.”

“The test for expert evidence put forward in the Daubert case (Ref Below) requires that “The techniques used to gather expert evidence must be tested or be at least testable, and that actual or potential error rates need to have been considered.”

“At present, the “techniques” for measuring parent capacity or psychological parenthood have not been tested or considered for error rates. Nor is it likely that they could be so tested because concepts like capacity do not have a readily agreed content”

(Ref (1993) 125 L Ed 2d 469. For a superb critique of the limits of social science evidence in this area, see J. Caldwell, “The limits of s.29A Reports in custody hearings.” [1995] Butterworths Family Law Journal, 188.)”

“Also, amongst the social scientists there is, as there is in any healthy field of inquiry on-going disagreement of what is best for children.”

“At present the outcome of cases depends on the emphasis of the particular s.29A Reporter, the position counsel for the child takes, and the particular factor(s) the Judge chooses to emphasis in the particular case. In short, the best interests test is personal and individualised. It attempts to look into the future. It is idealistic and attempting to do the best. It is totally dependent on the judgments people in authority make about the particular litigants. The basis of the system is personal judgment in consultation with the personal judgment of others who have experience of working with family break-ups.”

“Complaints about the Family Court are not directed at the law but at the individual behaviour of s.29A Reporters or Counsel for the child”

Now just to interject, there has never been a truer word said, and this is by far the next biggest problem I have come across, the individual behaviour of some of these so called professionals is shocking, yet they get away with it in the Family Court because it's closed/hidden. I will refer back to this point later on in this document. Also in Chapter Two I have some public examples of this and the last chapter of this book has a true story that made it to print and television here in New Zealand.

“At presents the “best interests” or welfare test does not in itself have any specific values. The factors list some values but do not prioritise them”.

“The only area where values are prioritised is s.16B of the Guardianship Act where the presumption of unsafely prioritises safety over contact. A very important function of law is that by prioritising values standards are set for society.” (End)

ABOVE AND BEYOND THE BEST INTERESTS OF THE CHILD

By Mark Henaghan, Chapter Ten

Link <http://www.massey.ac.nz/~wwcppe/papers/cppeip04/cppeip4j.pdf>

How can any layperson be expected to understand all of the law, however that's what people face when they come up against the Family Court, or as we now call it "**Family Caught\$**" It's an unfair contest to expect a layperson to grasp all or some of the legal aspects involved, but that's by far not the worst of it.

I would also like the Social Services Select Committee to note that cases of emotional and psychological abuse are even more complicated to defend yourself against, yet people have to because of not being able to get Legal Aid or lawyers.

Finally, let us not forget about the "Stress, Suicide and the Family Court" speech in which is stated:

"Principal Family Court Judge Boshier is today calling for more support for anguished families. He says, "I feel for people that use our courts who eventually cannot cope and **take their own lives**".

Source: Press Release: Arbitrators' and Mediators' Institute of NZ, 19 November 2009, 10:45 am
<http://www.scoop.co.nz/stories/PO0911/S00201.htm>

However, these issues with the Family Court go way deeper than Judge Boshier and others realise. Judges can't leave the bench to do their own investigation and totally rely on CYF to do their job professionally, without bias and the reality is some Social Workers are sexist, racists, have a god complex and get off on having this kind of power and control over people's lives. I have witnessed all of these things.

There is a book called "**Are You My Father?**" The Family Court and Other Experiments by **Greg Hallett**, 2002, **2015**. ISBN **978-0473-08544-5**. It gives an interesting take on this all and a New Zealand book.

As another update: There has been a report (**2014**) I recommend you read called "**The People's Report - Glenn Inquiry**" where they talk to users of the Family Court system and their views on it. Just Google it as sometimes the link seems to not work at times. However, that report also missed a few of the issues I have come across as well.

Another issue of self-representation, that rarely gets talked about is the lack and right to full disclosure. If people ask for a copy of their files, there can be so much blanked out, people can't make heads or tails of it... When 75% of a file is blanked out that makes it extremely hard to prepare for Court or a FGC. That automatically puts you at a huge disadvantage. Sure you can appeal to the Ombudsmen's or Privacy Commissioner, offices. But that takes a long time, and the FGC or Court hearing will be long gone before either one or both get back to you with their ruling on the matters. Then CYF tell you if the file is inaccurate you have the right to apply to have that information corrected. If you can't see 75% of the information that's most of the file you will have no idea if it is full of errors, and CYF also used the ability to blank stuff out to protect their own staffs from charges of libel slander and defamation, and blatant lies which are perjury in court. You will see a real life example and proof of this happening in Chapter Two.

It seems things for families are going to get a lot worse before they ever start getting better now the so-called experts are trying to say timeout causes attachment disorders and is, therefore, abusive and, of course, the nicknamed, **anti-smacking law reforms**. For those who might not be aware of it in brief, it was an amendment of the Crimes Act 1961 (Substituted **Section 59**) which removed the legal defence of "reasonable force" for parents prosecuted for assault on their children.

So a light smack or grabbing a child could see parents done for assault. That has actually happened already. If people are going to say that's impossible or I don't know what I am talking about or it sounds a bit extreme have a good read of the legal opinion done for Family First. It's written by Chen Palmer New Zealand Public and Employment Law Specialist. DATE: 3 November 2014.

Topic: **Legal analysis of section 59 Crimes Act - the anti-smacking legislation**

Link:

<https://www.familyfirst.org.nz/wp-content/uploads/2014/11/aaa-CHEN-PALMER-OPINION-NOV-2014.pdf>

So I don't see how parents are going to win against this all. I see things getting worse not better for families, and the workload increasing for the courts and CYF if we keep on going down the track we are now. The issues are if the Police see a smack as inconsequential and decided not to prosecute, CYF can still come after you and, in fact, remove the children anyway. **The net Professor Dorothy Scott talked about at the beginning of this document just got a lot wider...**

The downside for children/young people is a trend towards medicating them to control their behaviours, which you can read about here:

"Malicious Use of Pharmaceuticals: An Under-Recognized Form of Child Abuse".

Link: <http://www.sciencedaily.com/releases/2010/07/100722075007.htm> by Dr. Shan Yin, (July 23, 2010)

CYF Long lingering's and reaches.

CYF have what I can only describe metaphorically as an **invisible hand** throughout the CPS, wherein they touch things but leave no fingerprints behind that can be traced back to their involvement -hopefully for them.

I have been made aware of people in which CYF or the Court have asked for psychology/sociologist assessments be done before the next Court date, however, that information only gets passed onto the clients lawyers 7 days before the Court date despite it being completed weeks or even months in advance.

In many cases, the client's lawyers mistakenly work off that report rather than get a second opinion because they don't recognise how easily manipulated they can be. The problem I have found is some lawyers can't really understand the reports themselves. If the truth be known as one of them revealed to me while I was updating this document.

I have read many reports done by different psychologist wherein it's hard to believe they were talking about the same person. They were in such stark contrast to each other.

I have been made aware that the clients who the reports referred to have been allowed to read them at the lawyers or CYF office only, but denied copies.

I believe that people should have a right to have access to information about themselves and to have it presented in a way that is comprehensible, and secondly that they have a right to such reports in sufficient time to study them and receive advice on them before them being used in Court cases.

If people self-represent it's just about impossible to get case law or any access to judgments in order to help. I have people who help me that are lawyers and to spite the fact they know where to look some stuff, gets really well buried and just about impossible to find.

The amount of weight given to sociologist/psychologist reports also poses problems as it's not an exact science. I am not saying the field of sociology/psychology is not a useful tool, but when it's taken as the gospel truth and a case hinges on it, I think we need to reflect carefully in the reality it's not an exact science at all, when it comes to evaluating emotional abuse, or deciding where and who the child/young person is better placed with. Also, if you Google phrases around "**psychology is not a science**" there is great debate over that.

Since this document was originally written I learnt even more about the sociology/psychology reports regime and cover this aspect in chapter two.

Then if all else fails there is the divide and conquer aspect CYF use to get their way. Unfortunately, people get caught up in this without even realising it's going on before it's too late and the Family Court or FGC becomes the battle where it all gets played out.

The biggest issue I see in the Family Court is warring factions then playing one side off against the other leaving the children/young people in a stalemate, due to brinkmanship and one-upmanship is occurring. I have seen CYF staff and lawyers play one side off against the other for some reason. While I could offer a number of hypotheses about why they do this I will leave it at that for now.

Accusations followed by reprisals, and while the biological parents fight it out the Court has no choice but to leave the child/young person outside of the biological parents' care until it's sorted out if that is possible. Sometimes the Court will favour one parent over the other based on the information they have been given by CYF.

CYF have been known to set one parent/family member up against the other by offering better access/visitation to the person in their care as long as they help CYF out. Then if they go along with everything as a reward CYF will offer then permanent placement of the child/young person in question. One example of how CYF play people off, was an ex-partner was told by CYF to get a restraining order as the fact the ex-partner has one out on them, will put them in a bad light before the judge. Then told the ex-partner and her side of the family to suggest he could be a drug

user and supplier. So when this comes up in the family court both CYF and the judge refused to pay for a hair follicle test, so the client's lawyer did and it came back clean. My point is the power of suggestion can be persuading to some judges who are not aware this kind of stuff goes on behind the scenes. Even the psychologist reports noted some behaviour in the ex-partner that could indicate substance abuse issues, but in court clarified this by saying the report was inconclusive. So either way when a judge hears that without a hair follicle test, of course, they might consider that as a risk factor. So the accusation becomes the evidence and the evidence the accusation with no real tangible proof in sight at all. That happens way too often for my liking.

I have known people to be offered double board payments by CYF or extras by reclassifying a child/young person as high and complex needs when they aren't to hide the bribery within their own system. That's a good incentive if you're really in it for the money? CYF has also used foster parents to entrap children/young people by wittingly soliciting information and opinions out of them. So there are a number of ways and spinoffs for CYF and caregivers to work together if it suits their agenda.

Another aspect to this all is as a caregiver if you believe a child is going from your care into an unsafe place as described by CYF would you tell a white lie to save them. . So if it was suggested you could push the envelope a little and say the child disclosed something to buy them time and keep them safe in the meantime would you do it? I know foster parents and caregivers that have done that upon suggestion by CYF with the best of intentions (*save the child*) and owned up to it years later with regret when they learnt the real intent and motivation behind it which was payback on the biological family for having complained about the CYF staff.

These comments are not meant to tarnish all foster parents and caregivers with the same brush. As some do it for the love and not the money and, believe me, are worth way more in value than they could ever be paid. This is the exception, not the rule- but it does happen.

CYF has also been known to throw fuel on the fire by allowing one side of the family to discuss the issues with a child/young person about why they come into care.

Then on the other hand while forbidding the others to do the same, or not allowing anyone within the family unit to discuss anything with the children and they are only to listen to the Social Worker. Often the Social Workers are telling the children a load of inaccurate things as to why they come into care or their parents and family are not allowed to see them at all or unsupervised.

True Example: Mum doesn't love you anymore because she won't leave dad/step-dad in order to get you back. (*Even if this is not the case, but the children/young person is led to believe it is.*)

Another tactic I have seen CYF staff allow is parental alienation. So how that happens and what it means is found here:

“**P**arental **A**lienation **S**yndrome (abbreviated as **PAS**) is term coined by Richard A. Gardner in the early 1980s to refer to what he describes as a disorder in which a child on an on-going basis belittles and insults one parent

without justification due to a combination of factors including indoctrination by the other parent (almost exclusively as part of a child custody dispute) and the child's own attempts to denigrate the target parent.”

Source http://en.wikipedia.org/wiki/Parental_alienation_syndrome

So while the child is around one parent they or their side of the family rubbish the other parents or their family. When CYF are told about this they clamp down on the side of the family they don't support while letting the other side they do support away with it. Why you might ask that's simple. If the child is told often enough the other parent or their side of the family is shit the child might start to believe it. Therefore, if given a choice of who they want to have more access or live with that can influence their decision. I have seen children under this kind of pressure start playing up and acting out for the other parent. That then makes the other parent look inadequate and not as good as the other parent who is in reality casting the child in this role.

There are a number of subtle ways children/young people can be influenced in the background to think less of their parents and family while in care to coerce them into resisting access or visitation, let alone going back home for a number of reasons. If a case is closed the hangers-on's like a sociologist, and all the lawyers involved like one for the child, often another two lawyers one for each parent and then CYF lawyer just lost the reason for which they exist to earn a living from. Let alone all the other forms of Social Services providers that latch on as well.

To stop the communication flow CYF can claim to some family members they can't talk about the reason why the child/young person is in care because it will upset and run the risk of psychological and emotional damage being done and if that happens, access will be cut or go back to being supervised at the least. That's even if the child or young person raises it first. When people can't answer children grow suspicious.

While I agree adult issues should not be thrust upon children. In a therapeutic setting is the place for these things to be discussed if need be. I have known family and teens who have wanted joint counselling sessions for this purpose only to be overruled by CYF.

This is what I call cult-like tactics, wherein the person is isolated and only allowed to get their information from an approved source, just as cults use programming and indoctrination and other brainwashing techniques. This, as one counsellor put it to me becomes the Stockholm Syndrome Effect.

On top of this what CYF can then do is get the approved counsellor the child/young person is going to see, give them CYF side of the story which they will take at face value to start working on and with the child/young person. They get cast into a role and way of thinking because of the reinforcement they are getting fed by multiple, manipulating forces without the people involved necessarily even realising the power and control at work from CYF puppet masters behind the scenes.

So by the time the Counsel for the child goes to see the child/young person to get their views on what they want things will be parroted off as per the plan for which the outcome has already wittingly been influenced and forecasts months in advance.

The counsel for the child often doesn't want to talk to the children/ young people in too much depth about the circumstances that led to them being in care, so avoid this topic but rather focusing on what they think the child/young person wants out of the mess it has become.

If the counsel/lawyer for child spreads their net a bit wider to canvas the rest of the family or people involved about what's right for the children, they have often been coerced into a certain way of thinking; for example by the Family Group Conferences, (Foregone Conclusions). People have been told by CYF - don't bother asking for the child to be returned because it will not happen, so they don't ask, isn't it meant to be the court that makes the final decision? But by putting people off asking it makes CYF life easier. I view this as trickery and deceit but nevertheless it does happen. That's why counsel for the child needs to be aware of these tactics to see past the games being played by adults for the sake of the child.

I have heard lawyers suggest that fighting CYF could mean parents lose the equity in their house for a slim to no chance of getting their children back. That their best bet is to play along with CYF, don't rock the boat and they might return them. They could lose their house have a Legal Aid debt and come out of it financially crippled and all for nothing. There are two ways one could take that. Either the lawyer is trying to save them the money and anguish of trying to beat a system so set against them at every point. Or they are helping CYF to steamroll the people into surrendering. Fighting the system can be a lost cause in its current setup so I most certainly get that perspective. When you consider all I have presented in chapter one and then read Chapter Two of this book that should be obvious why.

Now getting back to the temporary caregivers, for some children being away from home can be a holiday or for those older being on a honeymoon. They get treats, spoiled in a way they could not get at home often owing to lower socio-economic circumstances. So there is a disparity, inequality at play. So during this time if some children are asked do you want to go home then, say no, not realizing the full ramifications of what this all implies. By the time they do it's often too late.

I don't want to make it seem like I giving all caregivers or foster parents a hard time as I have seen the other side of it. For that reason I have added this next bit in:

It's legalized child abuse

SHIRLEY AND RON BIRT

Last updated 08:15 24/03/2012

OPINION: Shirley and Ron Birt have fostered children in Southland since the 1960s. These are their concerns about children in CYF care.

We are very long-term foster parents and are concerned for children in CYF care. It seems CYF often leaves children in dangerous circumstances and equally as often

removes children who should never be removed from their natural families. They seem to have lost the ability to reach a sensible middle-of-the-road approach and the training to assess correctly the needs of these children.

We have seen over many years the suffering of young people in care, the feelings of rejection and self-blame.

Not all of them can be returned to family but the new Home for Life care policy that was implemented about two years ago is causing grief for children, their families and eventually the Home for Life carers, because of the inability of ever returning any of the children home.

This policy is based on a theory by psychiatrist and psychoanalyst John Bowlby in the days immediately after World War II (almost 70 years ago).

It was called the secure attachment theory and it pertained to orphans who had lost their families, their homes and their way of life due to the bombing. This is a very different situation altogether than the reasons for care today. It is still only a theory all these years later.

Parents of children newly in CYF care are faced with these criteria: Within three months of coming into care, permanent goals agreed.

Within six months of coming into care, the child's ongoing permanent care.

Within 12 months of coming into care, the child will be in a Home for Life placement if they haven't been able to return home.

Within 18 months of coming into care, legal orders for the Home for Life placement sought.

This means that from three months of the children coming into CYF they are starting to place them in permanent Home for Life care until they are 17 years old. After around six to eight months of coming into care the parents will not be able to get their children back, no matter how much they change their lives or circumstances. If the natural parents then go on to have more children and successfully bring them up, the child in Home for Life care still cannot go home.

Imagine the damage done to a child who sees their siblings living with their natural family while they are forced to stay with their Home for Life carers. From experience we know this causes the child to rebel around 12 to 14 years of age.

This rebellion, because of self-blame and feelings of rejection, causes a lot of sorrow for the natural family, who feel guilty for making stupid mistakes when they were young, and the Home for Life family, who feel they have failed the child in their care.

We have seen this scenario many times with children who were unable to return home because it was unsafe to do so. Imagine how much worse it is for children to see a now well-functioning natural family and they are prevented from returning home.

In several recent Family Group Conference meetings we heard a young woman repeatedly told by three social workers: "You will never get your child back."

This is a soul-destroying statement for any mother to hear, knowing no matter what she does or how many changes she makes, under this draconian policy she will never have her child in her care again.

It also gives young mothers no incentive to make the changes necessary to regain custody of their child and is often the catalyst for more offending due to the immense stress and guilt.

There is also the terror of the natural parents knowing that if the Home for Life carers get a good job offer in Auckland they are able to take the child with them. The parents will have two to four weeks' visiting with their child a year, occasional photos and a card each Christmas. Many children are placed in Home for Life families hundreds of kilometers away from their natural family's right from the start as it is hard to find Home for Life families in many parts of New Zealand.

This is legalised child abuse and inhumane treatment of the child and their families.

We all make mistakes when we are young, some bigger than others, but we should all have the basic human right to change our lives and circumstances and earn the right to have our children placed back into their natural family. CYF is shutting out natural parents who are willing to make positive changes in their life because of those who are not actually able to parent safely at all. This is because the changes made by the parents do not fit into CYF's Home for Life time-frame as set out above.

One rule for all is not the right way. This policy needs to be scrutinised and reviewed carefully before it does any more harm to our children, their families and their Home for Life carers. Shirley and Ron Birt have fostered children in Southland since the 1960s.

- The Southland Times

<http://www.stuff.co.nz/southland-times/opinion/6626420/Its-legalised-child-abuse>

So that bring me to the next problem brings Home for Life when it not one. Like the FGC and CARP the theory is great, but practice fails to deliver the results.

Home for Life (HFL):

The Home for Life has been plagued with issues as this story also shows from a different perspective. (By Tracey Roxburgh on Sat, 22 Nov 2014)

Home for Life's system 'appalling'

The Central Otago couple left "devastated" after Child Youth and Family removed two children from their Home for Life program were among almost 10,000 people who made submissions on amendments to the Vulnerable Children Bill.

Impact of couple's actions of concern

The Act, passed into legislation on July 1, aims to improve the wellbeing of vulnerable children and strengthen New Zealand's child protection system.

The amendments had not gone far enough, the woman said.

Included in the changes was the ability for guardianship of birth parents to be curtailed if they "unfairly disrupt their children's lives in the new placement".

The Children's Action Plan website says that happened in "a variety of ways and frequently".

"Some parents who've had a child or children removed because of serious abuse or neglect continue to disrupt the new family home.

"This can mean upsetting and aggressive contact visits, vetoing overseas holidays, and vexatious and prolonged challenges to Court Orders imposed to protect the child.

"These children deserve to live in a safe, calm environment, where they have a chance to thrive without disruption".

The Central Otago couple had two children removed from their care in February because they were not comfortable with the amount of access the biological father had sought and was granted. The couple made submissions on the amendments last November.

The changes, they say, are not enough and the program either needs to be "abolished" or be subject to "massive changes".

"It's all the biological - if you don't have buy-in [from the biological parents], you're on a hiding to nowhere," the woman says.

"There are some people in the Home for Life program who can't even cut their kids' hair without asking the biological parents.

"When biological parents aren't up [for it], if they've broken the law and then done stuff that's not appropriate to raise children, for the safety of our children, they need to earn the right back.

"We need to change this so other people don't have to go through it. It's appalling.

Link: <http://www.odt.co.nz/regions/central-otago/324222/home-lifes-system-appalling>

Another article

Despair after foster children taken

Two children are pictured with their arms around a couple; bright eyes, beaming smiles.

The framed photo is worth more than a thousand words - it is one of the only mementos a Central Otago couple have of the children, who called them "Mummy and Daddy", after Child Youth and Family's Home for Life program turned out for them to be anything but.

The couple, whom the Otago Daily Times cannot name, had the children removed from their care by CYF in February. They were returned to a previous foster care arrangement.

The couple, in their 40s, initially wanted to adopt a child. They almost did so several times before a social worker in Invercargill suggested the Home for Life program.

"It's not an adoption, although it's sold to you in the way it would lead to adoption," the woman says.

A CYF brochure on Home for Life states the child will be "in your care for life" and in most cases the couple will "become their legal guardian, often in addition to birth parents".

Contact will "usually" continue with the child's birth family in a "safe and planned way", it says.

However, the woman says Home for Life is a "deeply flawed" system.

An instant bond was formed with the children, then aged 2 and 4, who had been in foster care with their maternal grandmother for eight months. Their mother, a survivor of domestic abuse with substance abuse issues, had left when the youngest was 12 months old.

Their father, a recidivist offender with an extensive criminal history including convictions for serious sexual offending against minors and Domestic Violence Act charges, was in prison.

"We've got little people that clearly have had a rough time, that need a safe and secure environment to grow up in," the woman said.

In June 2012, after several meetings with the children, their grandmother and mother, the couple took them to their new home.

CYF says it wants to make sure people are "supported, given the right information and feel confident as you make this life-changing commitment".

Yet, the woman says, she had no contact with the children's social worker and after three weeks of having the children she contacted CYF Alexandra - an agency unaware of the change in circumstances.

It was nearly four months before a social worker visited, she said.

"It was appalling, really. I remember being gob smacked they didn't realise the children were with us."

When the couple took custody of the children, the children's father, through the Family Court, gained access to them up to four times a year.

Within a few months, that was increased to every six weeks and not long after he was granted two-weekly access - a phone call every fortnight, alternating with a supervised two-hour visit.

While he was in prison, the couple had to accept phone calls every fortnight, described as "hideous" by the woman.

The children became increasingly unwilling to speak to him - prompting him to "complain to CYF we were interfering".

Progressively, the children's behaviour worsened around the phone calls, with bed-wetting, angry demeanours and bad language, the woman said.

So when their father sought and was granted access on alternate weekends, the couple remonstrated with CYF and said it was "too much".

The children were not coping with the contact at that point and to allow more would not be in their best interests, she said.

CYF's response was unexpected.

"They said, 'Fine, we'll just pick them up on Friday ... If you're not going to do this ... we'll just pick them up. "It was an email. Not even a phone call."

Less than a week later, CYF removed the children and returned them to their previous foster care arrangement.

The couple thought there would be continued contact, but they were wrong.

"It's like we've died. It's just hideous.

"I just trust that the [almost] two years we had with [them], it counts for something and they hold on to that somehow.

"I would walk over broken glass for them any day of the week.

"If I'm crying ... at night, how are they [coping]?"

Link: <http://www.odt.co.nz/regions/central-otago/324216/despair-after-foster-children-taken>

I just want to point out I know a few people that were told Home for Life is equal to adoption and that's not at all the case. I have seen those placements fall apart as well.

Now here is CYF response to this:

Impact of couple's actions of concern

By Tracey Roxburgh on Sat, 22 Nov 2014

Child Youth and Family says it is "disappointed" a Central Otago couple have gone public with its battle against the department's Home for Life program.

CYF regional director Chris Harvey said the department was concerned at the impact the publicity would have.

The department needed to protect the privacy of all people involved in the case "even if it means not being able to explain our own actions".

He said CYF had gone through a formal complaint process with the couple.

"If they have further concerns, they are welcome to raise these with us," Mr Harvey said.

"We can say that a social worker visited within the first week of the children being placed with the couple.

"From that first visit, there were approximately 70 contacts between CYF and this couple, including emails, phone calls, visits and meetings until the couple requested the children be removed from their care."

The woman has told the Otago Daily Times that CYF informed the couple, via email, the children would be collected because the couple were uncomfortable with the amount of contact their biological father had sought and been granted.

Mr Harvey said at the heart of any care-giving placement was the opportunity for a child to be "safe and thrive".

"We wanted this placement to work out as much as anyone.

"Sadly, some placements do break down and this can be very upsetting for all involved ..."

The department had "worked with the couple to understand their situation". That would inform what it was doing to support the care-giving role, he said.

The CYF role was to promote the best interest of the child, but when a child was in care it was the Family Court that made any decisions, taking into account all factors, including criminal offending.

CYF was required to act in accordance with the direction of the court, Mr Harvey said.

Link: <http://www.odt.co.nz/regions/central-otago/324223/impact-couples-actions-concern>

I have seen caregivers and foster parents sacrifice so much and get hit from all sides. CYF have a go at them, and then the parents, while having to deal with the children caught in the middle. As many of them I have tried to help told me these young people come with their own baggage as a result of this all. They are through no fault of their own caught in the middle of something they can't often understand. I have seen caregivers poorly treated by all sides and just give up because of that which I see as sad. Some caregivers have inadvertently put their own family at risk by taking on someone in the system. Their own family suffered as a result and in fact almost ended up being uplifted by CYF because of false allegations created by the very person they took in and tried to help. I have even heard parents say if they complain about or play up for all caregivers they have a better chance of being returned home. I have as yet to see that work and cause everyone no end of grief.

Anyway back on track, one judge summed it up quite nicely, he said the Family Court is more or less there to approve what CYF have done as they do the bulk of the work in the background long before the court date, and if disputes break out that CYF can't resolve that's what the Family Court is there to do at the end of it all. Judges are only as good as the information presented to them to which they make their decisions from.

Professor Mark Henaghan, in the paper "Above and Beyond the Best Interests of the Child" goes into saying this about the Family Court processes:

"If we keep adding factors and become more and more discretionary, respect is likely to be lost for the system as a system of law. I strongly believe that we need to tighten up the decision-making criteria so that values are clearly prioritised rather than left open-ended, vague, and personal. For too long Family Law has relied on process as a means to resolving disputes. It is time now to use substantive rules".

"The politics of custody decision-making have been hidden in the processes of counselling and mediation and the exercise of discretion. Substantive rules make the politics explicit, which enables the parties to know the rules when they are in the conciliation processes, and when they go to court."

Source: Dean, Faculty of Law University of Otago
Email: mark.henaghan@stonebow.otago.ac.nz

<http://www.familylawwebguide.com.au/library/spca/docs/Above%20and%20Beyond%20the%20Best%20Interests%20of%20the%20Child.pdf>

Below is a quote that I believe that typifies the issues the wider family faces when they get dragged into care and protection issues:

"I have been giving some thought to our position in the role of raising grandchildren. A lot of us have been flung into this role with no expectations of ever having to do this. We have experienced, heard and seen things that we should not have seen, experienced nor heard. We have had to deal with Social Workers (who for some unknown reason) have in some cases turned the blame of this situation on to us. We also have had to employ expensive Family Court lawyers to keep the children safe, where the parents of the child/ren can access Legal Aid and have taken us back to court time and time

again. We have had to present in Court and be cross-examined by the parent's lawyer, and for someone who has never been in a Court room this can be daunting. We may have endured being watched and been questioned by a Psychologist and then have a report done on us. We may have suffered abuse from the biological parents, via phone, confrontation, Family Group Conferences, at Access Centres and in some cases at the local shopping centre.

In some cases, this whole sorry scenario has divided families, not to mention the damage that has been done to the children involved and in some cases severe damage which will take years of counselling to put right, if it ever does. Then there is the worry of legal bills, and how we are going to be able to clothe and feed the children. Yes, these children can end up with a myriad of psychological, emotional and developmental problems. But what about the caregiver? They also have suffered in all of this too. It is well known that children placed in family situations have a more secure placement, but what about the grandparent or kin carer, who is there to support them?

To me, it seems we, during all of this we are put through the wringer, squeezed out and thrown away, left to raise these beautiful innocent (often troubled) children, with very little help. We fight to keep them safe and then we have to keep fighting for them, for a benefit for them, for psychological help for them, for special needs help and help in schools for their many disorders. Yes, no wonder we are tired, but we do this for our grandchildren/kin children because we are family and we love them”

From: “Grandparents Raising Grandchildren”, Diane Vivian <http://www.raisinggrandchildren.org.nz/>

I had hoped some members of Parliament and the Social Services Select Committee were moved by the aforementioned comments about grandparents as some have lost their houses, health and been thrown to the wolves by CYF for trying to do what is right by the grandchildren when no one else involved seemed to be. This is a shocking indictment on you all for allowing this to go on for over 21 years or more. I know of constituents that have written to Members of Parliament about this to be told because the case is before the court they basically can't do anything. These people are not asking you to decide the case but look at the process and fight they have with CYF, the court and how the process have systemic failings and abusive in themselves, so much so they have created a new disorder called “Legal Abuse Syndrome (LSA)” .

This expensive adversarial approach in the Family Court does more damage than good and wastes time and money from what I have seen over the years to date.

I have heard a lawyer say you will need to discredit your Mum and Dad (Grandparents) to get your children back out of their care, what dirt have you got on them we can use in court. The same thing happens to Uncles, Aunties, Cousins, and extended families or step parents. How would you like to spend 10 hours being grilled by a psychologist at age 75, you will have to excuse me if I sound angry because I sure as hell am.

Successive Governments right up until now and more than likely beyond have set this system up and allowed it to continue with no realistic checks and balances in place. The fact out CPS costs so much is because it's been set up that way for which the clients now suffer because of it.

The only time the Family Court seems to be an issue with any Government is for the wrong reasons, which is its costs, rather than on-going injustices it creates, which should be the real priority to resolve.

While completing this document it has been announced that the "Family Court shake-up 'frightening' 5:30 AM Wednesday, Apr 20, 2011.

"A shake-up of the Family Court could end counselling and mediation services, introduce more user charges and restrict cases that can come before the court. Justice Minister Simon Power announced a review of the system yesterday, a week after he said Legal Aid in the Family Court would become harder to obtain and more expensive."

Family Court shake-up 'frightening' By Derek Cheng
5:30 AM Wednesday, Apr 20, 2011

Link: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10720504

So from that comment it seems to me that the rich will be able to afford justice, but the working poor or lower classes won't, that's simply not fair.

But one Family Court Lawyer says the review is "frightening", and others are predicting essential services may be chopped and vulnerable parties will be left without court protection.... I think that person who made the comment must have been asleep, as this already happens now, and, what is more, worrying is this next statement –

"Mr Power said a strong system would help families deal with issues without needing court intervention."

A lawyer gave to me three interesting quotes for this after it was published I think are worthy of mentioning. If it was not for **"If it wasn't for lawyers we would not need lawyers"** and **"the businesses of the law is to make business"**. To me, this really does typify the Family Court system as I see it. It should go without saying this should not be seen as indicative of all lawyers. I know some that go above and beyond the call of duty and more work behind the scenes they never get paid for.

As Judith Sheindlin said and was the title of the article with her:

"Closed courtrooms only protect bad judges and lawyers, says Judge Judy"

Yes, Judge Judy is in Dublin Apr 9 6:29 PM (2013)

Link: <http://www.thejournal.ie/closed-courtrooms-only-protect-bad-judges-and-lawyers-says-judge-judy-863648-Apr2013/>

I know people that have overheard the lawyers for the Families and Children talking in cafes about FGC's they have been invited to and Family Court cases wherein they are discussing strategies to try and get the outcome they want. We found out about

this because the lawyers were not exactly discreet and used their clients' real names for which others around them could figure out who they were talking about and then reported back to them on what was said.

I would rather and the **inquisitorial system** then the **adversarial system** Family Court system we currently suffer with. For those who might not know there is a big difference between the two.

The Family Courts in New Zealand are claimed to be more open than ever before, but it's just about impossible for extended family to get in and have their say without a lawyer to accompany them. Whatever or if anything replaces the Family Court intervention Parliament need to ensure it can't be hijacked, bureaucratically driven, slow and as expensive as what we have now. Some of the Family Court lawyers are so incompetent people might as well represent themselves and that really is a last and desperate resort. But this is all hidden and done in secret, and they can get away with it because of the shroud of secrecy surrounding the Family Court. The FGC, Family Court processes and privacy requirements should not be there to protect the professionals from being accountable for undertaking shoddy work or practices. Many of the clients don't have time to complain because they are fighting for their families and don't need the extra stress of also taking on a fight with a lawyer that hindered rather than helped them. They are already getting the absolute stuffing knocked out of them by CYF, the Court and sometimes their own family. More stress on top of this is the last thing they need.

There needs to be a process whereby judges, lawyers and the Family Court get monitored to ensure they are not milking the system and taking the families for a ride. Sometimes the Family Court is like a kangaroo court or 3 ring circuses. Some judges let things drag on for far too long even when the result is clearly predetermined and inevitable for all the wrong reasons.

Now let's look at the Complaints system and oversight for CYF

It should be obvious by now why I talk more about CYF involvement than anyone else's. CYF often make the bullets and let others fire them. No one can really hold CYF to account and if you don't think I have made that point then read chapter two as that's a slam-dunk in my view based as other people in the know very much support my views.

Social Workers Registration Board (SWRB)

The SWRB cannot deal with unregistered Social Workers so I am in favour of Mandatory Registration, however, I can see a number of flaws with this for example:

- FGC coordinators can be considered administrators rather than social workers therefore not required to become registered.
- The same with resource workers and Managers. Some Managers who are registered can also opt out by saying the decisions they make as a Manager

are different to that a normal everyday social worker would have to make therefore exempted from while acting in their managerial roles.

- The issues of higher Management like Regional Directors, Chief Executives, and such can overrule the registered Social Workers are an on-going issue and often they are not registered Social Workers.
- If a registered Social Workers does make it to a management position they can then claim they are acting as a manager not a Social Worker per se so any decisions they make are as a manager not a Social Worker.
- The concept that CYF doesn't make decisions in isolation but rather it's a combined group decision like with supervisors, management involved etc... Therefore, the registered Social Worker acted under the group's instruction, therefore, can't be held individually accountable. Nor will they ever be under those circumstances.

There have been a number of cases where the registered Social Workers when making the decisions under their employment contracts show their loyalties remain stronger to their employer rather than the profession. By this I mean the registered Social Workers remains silent while their managers answer for them. While I am aware within the Code of Conduct it does outline how to deal with these situations I have as yet to see it happen. That would be career suicide for sure...

If they go against CYF and get fired, their registration becomes useless and worthless, without a job. Do you really think CYF will give anyone a glowing endorsement and reference for another position elsewhere if they went against them, so by proxy CYF win no matter what? That is a very real concern and outlined in Chapter Two.

The SWRB is not very well promoted to the point most clients of Social Workers have no idea they actually exist or what they do. Surely feedback from the user groups is important as like in any other service the customer should know what they can expect and for that to be delivered, and if it's not where to go to get it sorted.

The ironic thing about the SWRB not being well promoted is that they had a great opportunity to do this when CYF put out a pamphlet called "when we visit" and on page 9 under the heading "Your Rights" it states:

"If you're not happy with how things are going, or you want to talk to someone other than Child, Youth and Family, you can call a community agency such as the Citizen's Advice Bureau on 0800 FOR CAB (0800 367 222), or you can contact a lawyer if you want legal advice."

www.cyf.govt.nz/documents/about-us/.../when-we-visit.pdf

Now with all due respect to the Citizen's Advice Bureau (CAB), why them? Would the Social Worker Registration Board (SWRB), Office of the Children's Commissioner (OCC) be more appropriate and direct, yet they don't get a mention. Putting the Citizen's Advice Bureau in as another step only muddies the waters especially as they don't specialise knowledge in the area of Social Work like the SWRB or OCC do. Worse, CAB always seems short of time (over-worked) and

often has a lack of staff and finances. And the CAB is a mainly a voluntary organisation with no legal or statutory authority. All the advisors can do is advice people to the best of their ability and move them on. It seems extraordinary to me that both the SWRB and OCC missed out on the advertising which both of them needed to have their awareness and profile raised.

I have heard from people that rang the Citizen's Advice Bureau, and got very frustrated, maybe that was the point of putting them in as the first port of call? It seems in this, either CYF or the Government, as usual, are trying to run people around in circles when it comes to how and who to complain to! The SWRB claimed they did not have the money and they would like to be better promoted, well this pamphlet could have helped. Along with word of mouth from those who are members is another cheap option, if money is the issue. I should add that going to the SWRB is like going to the Mother in law to complain about your wife. Good luck with that.

There also seems to be an unholy alliance between the MSD and SWRB that at some point after our investigation has finished we shall reveal. In the Note section of the SWRB Act it states: **"This Act is administered by the Ministry of Social Development"** being about the **Social Workers Registration Act 2003** itself.

<http://www.legislation.govt.nz/act/public/2003/0017/latest/DLM189915.html>

I have found the SWRB seem to favour the MSD/CYF Social Workers over and above any others like NGO's. The MSD who themselves employ's Social Workers having anything to do with the SWRB Act does to me look like a conflict of interest.

I have questioned both the MSD and SWRB about this aspect of the SWRB Act and their relationship and got some very cagey answers. But that's for another day...

The Office of the Children Commissioner (OCC)

Now let's look at the **OCC** and what they have to say about their role in monitoring CYF:

It was claimed **"Children's Commissioner has role in monitoring CYF"** and they put out a press release to this effect on **Thursday, 8 February 2007, 10:07 am** 8 February 2007, which reads:

Children's Commissioner, Dr Cindy Kiro, has reacted to recent calls for the set-up of an independent complaints authority to monitor the activities of Child, Youth and Family (CYF) by pointing out that the Children's Commissioner's Act 2003 already provides the Children's Commissioner with certain functions in relation to monitoring Child, Youth and Family Services (CYF) and other persons, bodies and organisations exercising any function or power conferred by the Children, Young Persons and Their Families Act 1989.

"As Children's Commissioner, I am an Independent Crown Entity with powers to investigate any decision or recommendation made by CYF and monitor and assess the policies and practices of the Department. Another important function of my role is the promotion of the establishment of accessible and effective complaints mechanisms, in key agencies, for children and monitoring the nature and level of complaints," says Dr Kiro.

“There are a number of elements that are needed to build a robust complaint mechanism, and many of these are already under discussion with the Chief Executive and Minister of Child, Youth and Family. These are essential parts of a quality system,” says Dr Kiro.

Source: <http://www.scoop.co.nz/stories/PO0702/S00084.htm>

This all sounds good, but is this the reality? Ruth Dyson from the first part of her answer to a parliamentary question seems to support what the OCC suggests:

“I am advised that all complaints that the department receives are thoroughly investigated, but currently there is no central database that captures all complaints made to Child, Youth and Family staff”

Hansard and Journals, (debates), Questions for Oral Answer — Questions to Ministers [Volume: 633; Page: 4830] 24 August 2006

http://www.parliament.nz/en-NZ/PB/Debates/Debates/1/8/4/48HansD_20060824_00000070-Questions-for-Oral-Answer-Questions-to-Ministers.htm

However, the second part of the answer reiterate “there is no central database that captures all complaints made to Child, Youth and Family staff” does not make sense. I mean if they have no database as a record how do they know complaints are followed up at all let alone to a satisfactory completion for the complainant.

So let’s give that some perspective from **1989 until 14th April 2010** CYF never had a central database which captures all complaints. That’s 21 years in which they had no idea how many complaints they were getting and what happened to them. How come?

While I realise the Children’s Commissioner only came into being around 2003, they never picked up on that from 2003 until it was mentioned on Thursday 24 August 2006, when Judy Turner asked the relevant question in Parliament, and even then and until now, no one has explained how this was allowed to go on for so long unnoticed.

It seems to me the Children’s Commissioner has a lot to answer to for this before finally doing a flip-flop –

“The Commission accepted that they did not have the power to investigate many areas regarding CYF complaints, as their mandate only pertains to the welfare of children”

“Any complaint from parents regarding their maltreatment or perceived abuse or other failure of CYF is completely out of the hands of the Children’s Commissioner,” says Mrs Turner.

“The Children’s Commission have publicly admitted that they do not have the resources to investigate all the complaints, instead “looking into matters where we have some common themes coming through – systematic things”, according to general manager Gordon McFadyen”

Source: Kiro and CYF complaints authority complementary, Press Release: United Future NZ Party
Wednesday, 21 February 2007 <http://www.scoop.co.nz/stories/PA0702/S00392.htm>

So ironically enough it seems the Children's Commissioners have been confused about their role and, as a result, putting out misinformation. The then current Children's Commissioners, like those who have gone before, can't or won't explain how this happened and I have lost confidence in its ability to be able to monitor CYF, in light of the issues as I have already explained in relation to the CPRP and FGC's. I have brought many of the issues discussed throughout this document to the Office of the Children's Commissioners over many years before I took the issues directly to Parliament.

At the time Dr John Angus, the then (but no longer) like all the Current Commissioners before him, totally resisted the concept of a totally independent Complaints Authority for CYF and I have no doubt that any future Children's Commissioners will do the same. Given there is not a lot that OCC can do to help people with CYF issues why did they then do this:

"The Children's Commissioner has hired a new staff member to do nothing but deal with complaints about Child, Youth and Family"

Too many complaints about CYFS:

5:00 AM Thursday, Feb 22, 2007 -NZPA

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10425174

I assume the OCC wanted create a position to give one of their mates a job maybe? I say that because you will also note as a result of someone being hired to deal with CYF complaints by the OCC that no new information come to light about those issue were. I mean what where the themes of the complaints etc... What did the OCC learn from having hired this person about CYF complaints?

Now I do realise that in the same article it finally states:

"There is a need for Child, Youth and Family to develop a robust internal complaints mechanism which doesn't currently exist."

Too many complaints about CYFS:

5:00 AM Thursday, Feb 22, 2007 -NZPA

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10425174

So it took until 2007 for the OCC to realise that? Even then only after Judy Turner back them into a corner. The fact the OCC did not realize this any earlier proves how lax they have been in this area.

When that was said alarm bells when off because I assumed that framework already existed and surprised to hear it didn't.

This revelation only came after the fact it was revealed by Questions for Oral Answer in Parliament, [Volume: 633; Page: 4830] 24 August 2006. Up until that point I am unable to find any reference to the fact a robust complaints system did not exist and was needed, it took until 14 April 2010 before it was claimed to have been done. Even with that database up and running it does not resolve the fact CYF still half-heartedly investigate themselves which seems more of a whitewash to most complainants.

Had it not been for Judy Turner would we have ever known about the problem? You might ask how come we did not pick up on this sooner ourselves. Well, when I laid a complaint about CYF with them one assumes that was dealt with via a complaints framework of some kind. I thought they had a crap complaints system little did I know it did not exist which now explains everything. Of course, CYF never told me one was not in existence otherwise I would have got straight onto trying to get one brought into being sooner.

Regardless of that there was still this problem:

“United Future MP Judy Turner said the Children's Commission ‘don't have any jurisdiction or interest as they pertain to ... people who make notifications. Adults have nowhere to go.’

Too many complaints about CYFS

5:00 AM Thursday, Feb 22, 2007

Link: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10425174

So 2007 some 8+ years now we are in 2015 the CYF complaints system is still lacking.

Here is another aspect I see in the wider context of CPS issues, my understanding is The Minister for Social Development of the time recommends to the Governor-General, who should be appointed to the position of Children's Commissioners, and it happens. The problem I see is, they monitor and report on Child, Youth and Family (CYF) for which the same Minister for Social Development is responsible for, given they are run by the Ministry of Social Development (MSD). So if the Children's Commissioner finds fault with CYF the Minister for Social Development will have to sort it out. So to be extra clear about what I am saying. The Children's Commissioners and CYF via the MSD who run them have the same shared Minister for Social Development. Can you see the potential problem with that like a possible conflict of interest? Is that why the Children's Commissioners seems to go very easy on CYF?

I believe I can explain this resistance if really good people are put into the position of Children's Commissioners, and they got funded and resourced properly it could create a headache for their shared Minister. The Children's Commissioners might not be inclined to bite the hand that feeds them, that is, (recommends their appointment).

Meanwhile the same 'Minister for Social Development' gets to appoint people to the Social Workers Registration Board (SWRB) as well. This opens up the way for suggestions of nepotism and cronyism and not a good look. It seems the Ministers for Social Development have a lot to answer to and while this almost looks like a conspiracy it might well be. Maybe that's why the SWRB and OCC are lame ducks. Chapter Two will go on to prove these points.

The way to resolve this in the spirit of Mixed Member Proportional (MMP) is to have a bipartisan approach wherein all of Parliament gets the final say who is appointed and what funding they get. Both the OCC and SWRB are merely window dressing, smoke screen and mirrors in my view. It's not the first time Parliament or Governments have been seen to be doing something that means nothing about a

problem. I see the SWRB, OCC, and Chief Executive's Advisory Panel in much the same way you refer people to them to try a whitewash or wipe your hands of CYF issues. These organisations are meant to provide oversight of CYF got set up and funded by the Government, but if they are unable or unwilling to do their job properly surely that is an issue for Parliament to address? These quasi-autonomous non-governmental organisations like the OCC, SWRB seem more for show and deflection than being of any real help to the general public when it counts from what I see to date.

I just want to add that since this document was published in 2011 there has been the **Howard Broad review dated June 2013** which also further supports issues surrounding the usefulness or not of the OCC... That's covered in **Chapter Two**

The new CYF complaints databases that come into being on the 14 April 2010 will not improve CYF accountability as they can get around this. CYF simply refuse to take or acknowledge complaints, so they don't have to be entered onto the database. They can reclassify complaints as concerns, inquiries.

If all else fails some CYF start suffering from a strange phenomenon which is like a new type of amnesia striking them down when it suits them. Its main symptoms include machinations or phantasmagoria and evasion, apoplexy obfuscation and omission of the truth, and if all else fails confabulation, based on some kind of self-preservation if they are heading for the proverbial; hitting the fan. Or things get mischaracterized and misrepresented as they become economic with the truth followed by an orchestrated litany of lies if all else fails. If you doubt this then again as I have said before read Chapter two. Within that, I have the proof to support my claims from publicly available and credible information that CYF have verified as being correct themselves via their responses in the articles.

Finally, we have the new **Chief Executive's Advisory Panel**, (CEAP Panel).

I was the first person to go before the CEAP Panel in New Zealand and have a win. So I am well aware of the process from a personal perspective.

As stated from the beginning when it was first set-up:

"The Advisory Panel has the inherent flaw of not being independent, and the Chief Executive still has the final decision as to the success of the complaint. The Panel can only make recommendations. **This is inappropriate.**"

Success Rate Shows Need for CYF Complaints, Wednesday, 28 July 2010, 1:54 pm,
Press Release: Family First Lobby

<http://www.scoop.co.nz/stories/PO1007/S00346/success-rate-shows-need-for-cyf-complaints.htm>

In another press release FamilyFirst also had this to say about the CEAP processes:

"Family First NZ says that figures provided by the Ministry of Social Development under the Official Information Act show that the recently established CYF Complaints Authority has upheld a majority of the complaints that they have considered".

“Since the Authority was established in July 2008, just eleven complaints have made it to the Authority and of those, two have been upheld and five upheld in part. Only one case was found in favour of CYF. Three have decisions pending. Of concern is that 17 complaints were referred back to CYF to handle, and 12 complaints are yet to be dealt with – despite the potential urgency and on-going effect that it may be having on the families concerned”.

“The success rate of these complaints backs up our call for a complaints system but there is still an urgent need for a totally independent Complaints Authority,” says Bob McCoskrie, National Director of Family First NZ. “An independent CYF Complaints Authority is in the best interests of the social workers,” says Mr McCoskrie, “as it will provide an independent body to ensure that appropriate policy and procedures have been followed. This will result in public confidence and accountability for actions and decisions by CYF workers.”

“Family First is being regularly contacted by families who claim to have been unfairly treated by CYF social workers - yet they have no independent body to appeal to. Their only option is either a costly court process where CYF have an unlimited pool of resources to defend its actions, courtesy of the taxpayer, or trying to get in front of the CYF Panel.”

“This is grossly unfair when families are being ripped apart, often just based on the subjective judgment of a social worker. The recent response to the CYFS Watch website shows just how deep-seated the concern is.”

“There is a Health and Disability Commissioner, a Police Complaints Authority, even a Motor Vehicle Disputes Tribunal. We desperately need an independent body to hear complaints about the highly sensitive nature of intervening in families.”

“The Advisory Panel has the inherent flaw of not being independent, and the Chief Executive still has the final decision as to the success of the complaint. The Panel can only make recommendations. This is inappropriate.”

Family First calls on all MP's, the majority who will have received anecdotal evidence of claims of unfair treatment by CYF, to support the urgent establishment of an independent CYF Complaint Authority.

Success Rate Shows Need for CYF Complaints
Wednesday, 28 July 2010, 1:54 pm

Source: <http://www.scoop.co.nz/stories/PO1007/S00346/success-rate-shows-need-for-cyf-complaints.htm>

You will note the Office of the Children's Commissioner stayed strangely silent on these issues.

The problem we have has been all roads to and from the CEAP go via the Chief Executive, (at that time 2011 was) Mr Peter Hughes, who is the CEO for the MSD which runs CYF.

The Chief Executive has totally discretionary powers over the panel; he can refuse to pass on a complaint, as he has been doing... The clue is in the title "Chief Executive" and "Advisory Panel" not "independent complaints/conduct Panel/authority, and outside of the MSD.

Worst of all in our case what the CE Panel recommended, CYF could not follow through on it so what was and is the point of having them at the end of the day if they can be ignored by the lack of action.

This is not at all fair for the families and children/young people who have to deal with CYF and as family First states:

"There is a Health and Disability Commissioner, a Police Complaints Authority, a Motor Vehicle Disputes Tribunal, and now an Immigration and Protection Tribunal. We desperately need an independent body to hear complaints about the highly sensitive nature of intervening in families," says Mr McCoskrie. "If immigrants deserve an independent basis for appeal, then surely kiwi parents also do."

Immigrants Get Appeal Body but Not Parents, Saturday, 27 November 2010, 6:18 pm,
Press Release: Family First Lobby.

<http://www.scoop.co.nz/stories/PO1011/S00311/immigrants-get-appeal-body-but-not-parents.htm>

Wanting a totally independent complaints system was nothing new as you can read here:

"Is the Minister aware that the Police Complaints Authority—for which the Child, Youth and Family's equivalent could be considered comparable—costs approximately \$2.1 million per year, yet its effect on public confidence and accountability is considered priceless; if so, is not a Child, Youth and Family complaints authority a very small cost for a very significant and necessary benefit for parents and families?"

Source: Hansard and Journals (debates), Questions for Oral Answer — Questions to Ministers
[Volume: 633; Page: 4830] Dated 24 August 2006

http://www.parliament.nz/en-NZ/PB/Debates/Debates/1/8/4/48HansD_20060824_00000070-Questions-for-Oral-Answer-Questions-to-Ministers.htm

Yet here we are in 2015, some 9 years later and that still have not come to pass. In fact Chapter, two of this book shows a review of the CEAP and CYF complaints system by Howard Broad that is very damning

My point is that this is a small price (\$2.1 million) to pay to keep things above board. I think in the end this could save CYF money because fewer errors should occur and hopefully see issues resolve quicker which should improve their quality of service. A lot of time is wasted having to second-guess or justify issues or in meetings and prolonged Court cases trying to get things sorted out.

If CYF becomes truly accountable for all their doings you might find you will save money and time in the family court as an added benefit.

One of the main issues about the CE Panel which has been overlooked is they are the end of the road; the very last resort, whereas I think early intervention is better

than having to wait for a cure. Why wait for something to escalate when it can be stopped in its tracks? The CE Panel is not even the ambulance at the bottom of the cliff but rather the hearse, and once your case goes off the deep end the damage has been done and often irreversible. That's why we propose a totally independent complaints system outside of the Ministry of Social Development (MSD) who runs CYF. They should have unreserved powers to be able to look at all aspect of CYF, being and doings to ensure they actually deliver on things like "service commitments" Codes of Conduct and Integrity etc., and all that other stuff they claim to do on their web page and pamphlets.

The Families Commission

The reality is the Government set up the Families Commission because of a coalition agreement with United Future's Peter Dunne. I doubt it would have happened any other way.

I am well aware the Families Commission has been severely criticised for its research and usefulness. Then National wanted to can it and did a flip-flop over that. I think it is disgraceful anyone would think of getting rid of them when in fact the opposite should happen they should be beefed-up and given the power, and resources like that of the OCC at the least if not better I would hope.

I am aware that National is no Fan of the Families Commission as it was quoted:

"Key accused of Families Commission flip-flop", then he went on to say thing like "Mr Key yesterday appeared to announce that National would axe the commission"

"In a speech to a families forum in Auckland, Mr Key veered away from his speech notes and said there was "a ton of money being spent" on the commission and he would rather give it to groups delivering front-line services" The Press newspaper reported.

"Mr Dunne confirmed he had talked to Mr Key following his comments and he was confident National would retain the commission."

Key accused of Families Commission flip-flop dated 16:01 09/09/2008
Source: <http://www.stuff.co.nz/national/politics/620144>

Just as a side note; since this was published in 2011. The National Government guttered, neutered and then still not being happy with that hanged, drawn, and quartered them totally by the end of their 50th Parliament. But they went one better and appointed their own family member, to it's now measly existence. No Joke...

It's disappointing to hear that the only Government-funded voice from advice on families' matters could have been closed. It seems like the Government does not want families to have a voice.

Personally I think Family First have done a way better job than the Children's and Families Commissions combined, but there is one big difference. Bob is not funded

by the Government that I am aware of, and Bob says he now sees the reason for that.

Now I am well aware they also suffered some criticism by what hit the headlines:

“Families Commission Research Could Do Better” in which the title tells the story and it did look bad for them.

Friday, 23 April 2010, 9:14 am

Press Release: Family First

<http://www.scoop.co.nz/stories/PO1004/S00258.htm>

However, I think rather than throw the baby out with the bathwater, it would be better to merge them with the Office of the Children’s Commission, to share power, resources, and information in a collaborative approach to ensure we are doing the best by our families and Children equally. Children are not an island, and when you have family breakdowns that can translate into a breakdown in the fabrication of the social infrastructure of society. Keep the two commissioner’s roles separate- of course- but share what they can in the office. I am sure many complaints and cases could interlink between them anyway.

I personally have to respect the Families Commission for doing all they can; which is speaking out in support of families. They suffered a lot of flak which I see as unfair given they were under-funded, under-resourced, and have absolutely no power at all to do anything much, unlike the office of the Children’s Commissioner.

The Families Commission have stated:

“...yet another example of why CYF needs a shake-up”.

CYF's involvement with baby to be reviewed

6:35 PM Thursday, Jul 29, 2010

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10662171

And here:

“Child advocate Christine Rankin says children rely on CYF when they can't rely on their own parents. She says too much evidence indicates the organisation isn't serving these children well with failure after failure.”

29 September 2010

<http://home.nzcity.co.nz/news/article.aspx?id=120413&cat=975>

It seems the Families Commission unlike the Office of the Children’s Commissioner was more willing to speak out on CYF issues as we read here:

... But child advocate Christine Rankin says the agency itself needs to be reviewed...

“A child advocate says it's time Child Youth and Family accepts it has a flawed system.

The department admits staff made mistakes in the case of a woman whose unsupervised baby drowned in a bath”

“Child advocate Christine Rankin says children rely on CYF when they can't rely on their own parents”

“She says too much evidence indicates the organisation isn't serving these children well - with failure after failure”

“Ms Rankin says there needs to be urgent change to prevent further mistakes happening.”

However in the same article “Dr Angus says he is satisfied the safety of children is given the highest priority by Child, Youth and Family”

Updated at 9:30 am on 25 December 2010, © 2011 NZ City, News Talk ZB
<http://www.radionz.co.nz/news/national/64932/bennett-orders-abuse-case-report-but-not-cyf-probe>

What the Families Commission says about CYF, compared to that of the Children's Commissioner is in stark contrast to each other. In fact one of the Children's Commissioner reports Dr Angus states:

“Child, Youth and Family is in a stronger position than it has been for some time”

Report of Children's Commissioner to MINISTER FOR SOCIAL DEVELOPMENT AND EMPLOYMENT
For the year ended 30 June 2010

Source: <http://www.occ.org.nz/assets/Uploads/Journals/corporate-documents/Annual-Report-2010.pdf>

Now that statement will prove to be ironic when you read Chapter two and see what the 2013 Howard Broad review of the CYF complaints system says. If also you read the first conclusion on **page280** taken from the 2015 Children's Commissioner Interview it will prove that statement could not have been further from the truth.

I hope by now after getting to this point in the document, people have serious concerns about the Office of the Children's Commissioner monitoring the performance of CYF over the years. A lot of what I have put in this document has not come out in their end of your reports as a concern. When I pointed out many of the issues I have with CYF to the OCC on behalf of families they were not at all interested in them I guess ignorance and arrogance must be bliss.

It's not the Families Commission that deserves the most criticism in my view, but the OCC, given what I have uncovered. They get given a ton of money and for what? Writing nice politically correct reports to pat CYF on the back and appease their joint Minister of Social Development. Both Children's Commissioners to this point being Dr John Angus and Dr Cindy Kiro seems to have missed the boat from what I have uncovered. In my view, they really let the people of New Zealand down while holding those roles. I say that because when you read the latest Children's Commissioner reports (*Child poverty 2012, and children in state care 2015*) done by Dr Russell Wills that becomes very obvious when you compare his good work to theirs I have nothing but praise and respect for Dr Wills.

Just when I was going to give up all hope when it comes to the Children's Commissioner in 2011 I was pleasantly surprised by what it reported Dr Angus said On TVNZ one News 6:52 PM Monday, April 18, 2011, it was stated:

“But the Children's Commissioner says that Doctor and Teachers are already good at reporting concerns, and making it compulsory could risk flooding

Child Youth and family with false reports. I don't think reporting is the weakness in the system New Zealand system, **I think the weakness is about responding to the reports that are made**"

10:53 AM Friday, October 21, 2011

Child abuse report seeks answers (1:42)

Video link <http://tvnz.co.nz/national-news/child-abuse-report-seeks-answers-1-43-video-4130351>

*Never a true a word was spoken given there ended up being **14 reports into CYF by 2015.***

I have to agree with what Dr Angus was quoted as saying. The weakness is with getting what we already know to be the wrong put right. Asking for more reports to be done on CYF is a stalling tactic in my view to buy CYF and the Government more time. CYF have been the untouchables for over 21 years and it seems the problems have during this time got that much bigger and our Parliament would rather not go there. In the meantime, families are being hanged out to dry while the reports get written and nothing seems to change in the meantime.

It worries me that none of the current mechanisms setups to date seems adequate to address concerns about CYF including the tactics and behaviours that lead up to the family court. Then based on CYF views helps the judge decides the child/young person's fate rightly or wrongly as the case maybe.

If evidence is gained by deceit, trickery, manufactured, people bribed to take up positions against others by being promised better access if they do. I have heard people being told if the go along with CYF they have a better chance of being considered over everyone else via being recommended to the judge as the best placement option.

The Children's, Families, Human Rights or State Services Commissions, Office of the Ombudsman, Social Worker Registration Board can't be of any help if something is **before**, **during** or even **after** the Court process. They say to intervene would be equal to re-litigation of a case which can't be done.

If CYF can stack the deck via the loopholes in the **CPRP**, **FGC's** and skulduggery with witnesses and families to get the result they want then that seems unfair to me as I have seen happen and should not be allowed to continue in my view.

Judges are like referees in a game they enforce and deal with what's in front of them; they don't make the rules but have a governing body that does. The reality is people can be dishonest, cheat, in sports, and the same can be said of our **Child Protection System (CPS)** as run by CYF. After all CYF make the bullets and others fire them throughout the FGC or Family Court battlegrounds.

The issues seems to be about the way CYF can contaminate evidence, witnesses and what I sum up as some staff having unethical standards and practices.

To spite having the State Services, **Standards of Integrity**, the Social Workers Registration Board **Code of Conduct**, and the Aotearoa New Zealand Association of Social Workers **Code of Ethics** - you try and get them enforced. The Human Rights, State Services and Privacy and any other Commissions more often than not are

unable to do anything to help. Same with the Children's Commissioner. Nor the MSD's Chief Executive's Advisory Panel either as they come much later after the facts rather than in real-time. Anyone who has tried them all will know from experience what I am talking about.

There is a professionally published book titled You-Be-The-Judge, the First was published in December 2006 by J T Publications, Thames, New Zealand.

ISBN – 10: 0 - 473 -11825 – 4 (349 page)

ISBN --13: 978 – 0 – 473 – 11825 – 9 (698 pages)

They are in PDF format I can supply anyone who doubts what I have said through this document. They have all the proof contained within it, and I also have the Court of Appeal Judgment that supports it all. Feel free to contact me if you would like to read them on CYFwatchers@gmail.com I also base my views on the stories told in Chapter 8 of this book and 1500+ cases over the past 15years when I devoted myself to the CYF accountability campaign.

Maybe CYF see the first You-Be-The-Judge, books as a badge of honour? But given the Modus operandi and persona as described in the book I hope not. That book is a good example of CYF tactics and given the author has not been done for libel, slander or defamation I am taking it as true and correct until proven otherwise. The Court of appeal judgement also supports what's been published in the first lot of the You-Be-The-Judge books as well.

If that is the calibre of staff CYF promotes rather than fire is it any wonder people have issues with them. I say that as I am very aware of some of those named in the first You-Be-The-Judge, Books coming to my attention on regular basis even now in 2015.

The Family Court is not open therefore I need to be careful what I say in the public arena and somewhat restricted for that reason. CYF know they can hide and tie things up in the Family Court which is by far one of their best tactics.

What we would like to see is Child, Youth and Family (CYF) to be accountable in a similar way to doctors, teachers, lawyers and the police etc. are meant to be to their profession and for the sake of the public they are meant to serve. No matter what you call it standards of conduct, integrity ethics it makes very little difference if it's just a paper exercise with no practical use. Even with the codes in place if the complaints mechanisms are not user-friendly from a layperson's perspective they also become pointless for the general public's benefit. Then if a Minister appoints people to positions to the governing bodies for reasons of nepotism and cronyism who are more likely to be a puppets or lapdogs even better for them both. The appointee gets a cushy number in a prestigious position and paid not to create too many if any waves for their own betterment rather than the public good as sometimes happens.

I believe that the Children, Young Persons, and Their Families Act 1989, is a brilliant bit of legislation, so apart from the odd tweak every now and then to smooth some little things out it's all good.

Where I see the biggest problem is in the interpretation and application CYF use. The only comparison I can give you to better illustrate this is the Bible. Some people

use it for good; they empower people, serve, and help more than hinder. While others use and take the document the other way, and lord it over people, Bible bash them into submission, put people down, destroy them and justifying their stance from the same bible - but from their own agenda and self-serving perspective

There is little doubt both good and bad have been done and that really comes down to one's own demeanour and their take on things. While you can never be fully guarded against this we can put things in place to try and protect the spirit of the Bible's/CYFP Act intentions, and we can get back to the spirit in which it was meant to be applied. The inconsistencies and lack of common sense about the use of the CYPF Act I find puzzling and worrying.

I often suspected the CPS ballooned out of control and become a burgeoning business for many. However we were forewarned of this possibility many years ago as we can read here:

In 1974, Walter Mondale promoted the Child Abuse and Prevention Act which began feeding massive amounts of federal funding to states to set up programs to combat child abuse and neglect. Mondale expressed concerns that the legislation could be misused, leading states to create a "business" in marketing our children.

Source http://findarticles.com/p/articles/mi_m5QWD/is_5_4/ai_n25001616/

I recently found this quote so deceived to add it after the fact...

Author Frank Furedi, Professor of Sociology at the University of Kent, calls for an urgent review of the burgeoning '**child protection industry**' and of the unintended consequences of the regulations and rules which were meant to improve children's lives.

Source: report By MATTHEW HICKLEY Last updated at 9:12 AM on 26th June 2008

To read more go to <http://www.dailymail.co.uk/news/article-1029509/Child-protection-laws-poisoning-relationships-adults-children.html#ixzz2FFVLfisk>

To give a New Zealand context I give you this quote:

Paora Crawford Moyle:

The focus has changed from a family strengthening focus (includes the child/ren) over the years to the needs of the child being 'paramount' (paramountcy principle). This has then moved into a child/ren only focus, particularly with Paula Bennett's Vulnerable Children's Bill etc. The Child Protection law in NZ is currently under amendment/being tightened up to mandate some of the 'unwritten default policies' that are driving current CYF practice. It's all about fiscal savings....and personally I think, on a much deeper insidious level, **it's about child laundering!**

Source, Youth and family services (CYF) accountability (Facebook group)

If you Google the phrase “**child protection industry**” a lot more information will come up that is too vast to list here. Then you can judge for yourself if you agree or not this has happened worldwide.

I believe this warning has in part come to fruition. The amount of money gobbled up, and wasted in the Family Court or should that be (Family Caught\$) is ridiculous in my view. Let alone, the industry built around the duplication of Anti-Violence campaigns, once you have identified the problems then what? I am not saying I am against Anti-Violence campaign, but if all we can do is see the problems, but not actually address them, what's the point of just throwing money at something in the hope it will somehow get results.

I have a feeling this is what the concern is here:

..”Did the Minister or Sir Peter Gluckman have concerns about the ministry’s ability to provide these evaluations? Is this sending us alarm bells of other, more endemic problems within the ministry?”

Source: DENISE ROCHE (Green), Sitting date: 24 July 2012. Volume: 682; Page: 3834.
Families Commission Amendment Bill — First Reading

Link: http://www.parliament.nz/mi-nz/pb/debates/debates/50HansD_20120724_00000020/families-commission-amendment-bill-%E2%80%94-First-Reading

People should want value for money rather than it being thrown at the problem to do what? While I agree no expense should be spared to keep child/young people safe. That should not be used as an excuse to justify wasting money for the sake of it.

Professionals make a lot of money out of the Family Court so why should the families have to suffer from this by under-resourcing them via Legal Aid, to cut costs and save money for the crown?

The only way for justice to be served is for equality of resources to be delivered. This kind of thinking and balances need to be in the Family Court if that all makes sense?

Why families shouldn't be allowed a second opinion on psychologist's report or for it to peer viewed by someone of their choosing equally qualified and neutral to the situation? CYF do influence some court appointed psychologist, Counsel/Lawyer for the child/young person. New Zealand has a very small professional fraternity that works within the CYF and Family Court Systems, which makes it even harder on families.

The odds are all stacked against the families and in favour of the system especially given the fact the burden of proof, and innocent until proven guilty, does not apply in the Family Court. There have been a few cases wherein the police seen the smacking as inconsequential, and did not lay charges, but CYF did an uplift as a result of that action for various reasons, and all of them were mountains made out of molehills. Because the Family Court and FGC's are valid security this kind of stuff rarely comes out into the public arena. I don't think the Family Court or CYF privacy

requirements should be used to allow the professional to get away with actions that are blatantly wrong, as can currently happen. I have seen people abused and verbally attacked by CYF staff during an FGC, and get away with it because it was done during an FGC.

In closing, all we are asking for is that CYF is held accountable and that checks and balances are put in place to ensure the CPRP, FGC's leading right up to the Family Court processes are fair for all. So that judges have the best information in which to base their decisions on for the sake of our children/ young people and families.

I see a totally independent Complaints Authority outside of the MSD being step-up is going in the right direction. If it does not suffer from nepotism cronyism, a limiting terms of reference and under-resourcing as has happened to date. Otherwise, we will be no better off than we are now.

I believe there are ways we can resolve many of the issues to achieve a better system, therefore, outcomes for Children and their families. But the problem has been getting the Ministry of Social Development, Ministers and Members of Parliaments attention on those matters. I believe there are ways to cut back on the amount of money being thrown at the Family Court and CYF, which will result in improvements for all.

The first step is an independent Complaints Authority for CYF. I hope whoever ends up as their new CEO's can get their head around the problems, and be willing to listen, respond, and learn when advice is offered realising there is such a thing as constructive criticism, that rather than hide away in their ivory tower. They might be willing to come down to ground level among the common people. In my view to many people live in a fool's paradise when it comes to CYF, and while that continues nothing will change.

It's sad to see how much energy CYF have wasted fighting me when the time could have been better spent working together on common issues for us both, that will benefit the public.

Now if you want to know what, if anything, resulted from this submission and my first Petition handed into Parliament you will have to read Chapter Two as that's the follow-up to it all. That chapter covers other reviews which also supports what I have said throughout this Chapter One from 2011.

Chapter Two

History of CYF complaint system.

If you read Chapter One this is a follow on from that because Parliament reported back on my first (2011) Petition for which that submission formed most of what that first Chapter was based upon. Since then we have had several review processes in New Zealand like the **Green Paper** which then become the **White Paper on Vulnerable Children** (October 2012). Followed by the Howard Broad Review (June 2013) of the **Child, Youth and Family (CYF)** complaints system. These consultations and the review very much supported my claims as outlined in Chapter one.

So I am going to follow on from Chapter one with information that come after 2011 and also cover other things I had to leave out of my first submission as in chapter one owing to Parliaments rules being somewhat restrictive.

As I will soon show when you realise how the **Child Protection System (CPS)** functions and see what families are up against I hope this is a real eye-opener. It's not at all a level playing field in fact far from it. The CPS is setup to more protect itself then anything and those who work within it rather than the clients it's meant to serve. While some people might see that as an outrageous claim to make I can very much substantiate this based on not only my own words but those of others via their official reports. The reason why I backed off supporting people and taking on the system is because I realised that's what needed to change more than anything. Trying to support people within a system that is seriously floored to my way of thinking means you are more helping that system over and above the people caught up in it. Don't get me wrong I do help people as much as I can but leaving them under no illusions about what they are up against. These issues I will soon describe have been known about for many years, yet few people within the CPS are willing to speak out about the injustice of it all.

This is a chronology and synopsis of how I see the CYF New Zealand complaints system. **CYF** comes under the **Ministry of Social Development (MSD)** which is why sometimes I refer to them as well. I also need to delve into the Family Court System because as someone put it CYF can be seen to make the bullets and Family Court processes fire them. If none of this makes sense I hope it will by the end of this chapter as I have included evidence to support my claims from very reputable sources. I will show the purported avenues of redress, or checks and balances people are sent to when issues arise like with CYF or the Family Courts are not what they should be. I will present you with the evidence to support my claims from actual cases and published articles for those who might be sceptics about this all.

I will also show whom I believe is responsible for the way things are functioning and what I think it will take to put them right as I see it.

First a history lesson to assist in bringing out some pertinent points later on:

1 October 1999 - Department of **Child, Youth and Family** **Services (CYFS)** established.

Was previously **C**hildren, **Y**oung **P**ersons and their **F**amilies **A**gency (CYPFA).

1 July 2006 Child, Youth and Family becomes a service line of the Ministry of Social Development.

Source: <https://www.msd.govt.nz/about-msd-and-our-work/about-msd/history/index.html>

You will also note they were first renamed **CYFS** back in 1999 and then at some point dropped the **S** for **S**ervices. So they are now called **CYF**.

Again that's why sometimes I refer to both CYF and the MSD because CYF were not always a part of the MSD... So when I am talking just about CYF that's normally pre 2006. However, the MSD does jump in at times to help CYF but that's only after 2006 onwards.

Now as we are talking about reviews let me first say there have been a few of them (*14 in total*) over the years. For expediency sake, I am not going to list them all as some of the most recent ones say it all. However, there is one in particular that drives home my points about CYF unwillingness to reform I need to mention in passing.

In **December 2000**, there was a report titled "Ministerial Review of the Department of Child, Youth and Family Services" by Judge Michael J A Brown. Three years after he went onto say this:

"The author of a review of Child Youth and Family says there are people working for the troubled agency who need to go."

"Retired Youth Court Principal Judge, Mick Brown, says it appears **little has changed since he reviewed the agency three years ago** and he considers that chief executive Jackie Pivac has done the honourable thing in resigning."

Source: <http://tvnz.co.nz/content/233212/425825.xhtml>

Major changes needed at CYF

Published: 11:41 AM Tuesday, November 04, 2003

Some of those people still remain more likely because they will be hard to get rid of I could surmise. Those few of the many that did leave their understudies have gone on to wreak more havoc than their predecessors. Often the CEO's get the boot and not a lot changes that's because in my view it's the tail wagging the dog a point I think a lot of people have missed throughout these reviews.

The Paradox of Managing for Outcomes, 2007. CYF has had difficulty in retaining its chief executives, having had four within the past seven years.

<http://ips.ac.nz/publications/files/9f93e2864da.pdf>

While this chapter is being updated another CYF CEO has resigned being Bernadine Mackenzie. However, in this case, I see that as a very good thing indeed and well and truly overdue.

I can't recall anyone disagreeing with Judge Mick Brown and that statement in my view equally applies today some 15 years on. If you doubt that then by the end of this chapter I should have convinced you by using some of the latest reviews.

While the New Zealand Public Service Association (PAS) seems to have come out in

support of Bernadine Mackenzie in a way I see that as unhelpful and inaccurate. I will just pick up on a few points the PSA put in their statement to highlight this as follows:

..."Bernadine, like all CYF staff, worked exceptionally hard to ensure our most vulnerable children were given **the best possible opportunity to thrive...**"
Working hard in itself does not always deliver the desired results as the latest damning reviews of CYF shows (see pages 280 to 288 of this book).

...."CYF staff respect Bernadine's ability to **place children's wellbeing** at the heart of everything they do...."
Ok, then why do we have a total of 14 reports on CYF that eludes us towards quite the opposite?

Here is what I see are more the reason behind this statement:

The PSA **represents nearly 2500 workers at CYF** locations across New Zealand.

Wednesday, 9 September 2015, 2:21 pm

Press Release: PSA

<http://www.scoop.co.nz/stories/PO1509/S00103/departure-of-cyf-head-raises-concerns.htm>

I have had some dealings with Bernadine Mackenzie, as you can read about on **page 151. Bernadine Mackenzie** allowed some CYF staff to go rogue as you will soon see if you read onto the section in which I talk about that situation in more detail. Bernadine helped lower the bar at CYF in my view when it comes to accountability and their staff's underhanded behaviours and tactics. It never ceases to amaze me how if someone leaves a high profile job they have not done well at to take up another position elsewhere it can be amidst some undeserved praises in my view.

This is typical of the problem wherein the PSA's view is out of touch with reality. I have no doubt that most CYF staff and their CEO's want the very best for all children in care. The fact is that was not happening as all involved would have liked is an issue that should not be ignored, let alone justified in any way or played down by the PSA in my view. If you want to know why I can say and believe this then go to the first conclusion starting on **page 278**. In that Youth Court Judge Carolyn Henwood, Children's Commissioner Dr Russell Wells and even the Social Development Minister Anne Tolley give their views of CYF performance.

The three aforementioned talked about CYF not being child centred and questioned if children were any better off for having come into care and about many other CYF issues. So what CYF hoped and actually happened were two very different things. It seems.

I do however agree with the PSA for not trying to make a whipping boy out of their 2500 members working at CYF. That's because CYF has always been a train wreck waiting to happen and all 14 reports done on them up until 2015 forewarn of this.

If successive governments had of followed up on any one of the past 14 reports the CYF train wreck could have been diverted and CYF put back onto a safer path far sooner than now.

The warning signs were posted of dangers ahead if the recommendations made in those 14 reports were not implemented.

Metaphorically speaking, you can't blame the train driver if by poor design they are set up to fail to deliver because of circumstances outside of their control.

However, one has to also ask why the staff knowing this was so complicit. The "Nuremberg Defense" about just following orders or obeying the law and authority of the time just does not wash with me. When are the Social Workers going to rise up and take back control of their own profession rather than work to the will and whim of the Government? So much so what they are asked to do goes against their own ethos.

There were some very basic fundamental things that CYF failed to do and this is stranger than fiction. How about recording how many complaints you received to address and then learn from them. Here is a rather oxymoronic example of this:

To answer that let's look at Hansard questions and answers from Parliament dated **24 August 2006** as follows:

Hon RUTH DYSON (Associate Minister for Social Development and Employment (CYF) **I am advised that all complaints that the department receives are thoroughly investigated, but currently there is no central database that captures all complaints made to Child, Youth and Family staff.**

Now that is real politician doublespeak because if you have no **central database that captures** how can you be assured they are **thoroughly investigated** at all. Who advised the Minister the MSD or CYF of this?

Judy Turner: Does she agree that Child, Youth and Family should be accountable to an organisation outside itself, given its statutory powers; if so, will she support the call of United **Future to establish an independent complaints authority for Child, Youth and Family?**

Sources: http://www.parliament.nz/en-nz/pb/business/goa/48HansQ_20060824_00000220/3-child-youth-and-family%E2%80%9494complaints

The whole debate around CYF has become a political football in which both Labour and National had failed to do their best. Below is press release from National and after reading it ask yourself 8 years on if they really done any better or practiced what they preached:

Sunday, 8 April 2007, 4:02 pm
Press Release: New Zealand National Party
Anne Tolley MP
National's Associate Welfare (CYF) Spokeswoman

CYF still failing to collect simple statistics

National Party Associate Welfare (CYF) spokeswoman Anne Tolley is stunned that more than eight months after promising to improve data collection, Ruth Dyson is still not requiring CYF to collate important

statistical information.

“Given that the Minister is reportedly considering a new complaints authority for CYF, you’d expect she might have found out how many complaints CYF actually receives. She hasn’t.”

Mrs Tolley is referring to answers to parliamentary questions seeking a breakdown of the complaints to CYF over the past few years.

“The reply was stunning. CYF doesn’t collate the information.

“Responsible Governments measure both the successes and failures of their departments. Pretending failure doesn’t exist won’t work.”

Mrs Tolley says Children’s Commissioner Cindy Kiro has also recently criticised CYF for failing to have a ‘robust internal complaints mechanism’.

I find National’s response breathtakingly hypocritical given their two terms in Government and fact they did not address these issues themselves during that time. Dr Wills talks about the lack of data later on in the book being a problem in 2015.

“Given that they don’t collate complaints at all, her concerns are understandable.”

In August ⁽²⁰⁰⁶⁾ last year, Ruth Dyson said ‘I am pleased to advise that work is under way to develop a new national database that will ensure that complaints can be collated centrally’.

“More than eight months later, the Minister is still unable, or **unwilling**, to reveal how many complaints CYF receives each year.

“If Labour was serious about delivering better service to some of our most vulnerable families it would want to know where it’s going wrong. **Hoping the problems will go away on their own is a recipe for disaster.”**

Ends

Source: <http://www.scoop.co.nz/stories/PA0704/S00154/cyf-still-failing-to-collect-simple-statistics.htm>

It never ceases to amaze me how hypocritical members of Parliament can be and how National jumped into this debate only after Judy Turner MP got the ball rolling on these issues. I think if Judy had remained in Parliament she would have kept the pressure on Labour then National about addressing the many CYF issues. No other MP has since filled that void she left behind on these issues as time has proven.

It seems astounding to me it took CYF 21 years to bring in a central database that captured all complaints. I know the date it came into being because I asked for it as you can see here:

Letter dated 27 July 2015

Dear Mr Axford

Thank you for your email of 1 July 2015 to the Ministry of Social Development

asking for the exact date that the Ministry's complaints database became operational.

I can advise that Child, Youth and Family's complaint management system, which is the database you refer to, went live on **14 April 2010**.

I trust this information is of assistance.

Thank you for writing.

Rob Brown

General Manager

Office of Organisational Strategy

Getting back to 2008 Labour lost that election and even under National's watch it took until 2010 for the CYF complaint system database to be up and running.

That's hardly quick work on National or Labours part. This just typifies the problem wherein there is more talk than action coming from Parliament. Even now that database does not accurately reflect the true number of complaints because CYF controls the data input.

I believe the first actual attempt at bringing in a proper complaint system happen around **2008/9** when the **Chief Executive's Advisory Panel (CEPA)** came into being. It was Ruth Dyson who brought in the CEAP in which she was forewarned it would fail. The two issues with her concept were the fact it was within the MSD and its **limiting terms of reference**.

However, the CEAP was established in **2009** before the complaints database became operational in **2010**. So what that means is the CEAP might not have been aware of all the issues people raised before then as not all complaints were captured by CYF. It did seem to be that they put the cart before the horse as the saying goes.

I had over many years contacted the State Services Commission and Children's Commissioner about the MSD/CYF complaint system issues to no avail. So I took my concerns directly to Parliament via my second Petition (but first one to make it to parliament) was **2011** which resulted in this:

The Social Services Committee has considered Petition 2008/121 of Graeme Axford, and recommends to the Government that it:

- investigate establishing an independent complaints mechanism for Child, Youth and Family which would be separate from the Ministry of Social Development
- investigate establishing a mechanism to monitor complainants' satisfaction with the complaints process in the Ministry of Social Development and Child, Youth and Family.

Page 2 Recommendation

Report of the Social Services Committee
Petition 2008/121 of Graeme Axford

Source: http://www.parliament.nz/resource/en-nz/50DBSCH_SCR5635_1/e13295edf94c21e91defd08e66b94e1022ac3c0c

During the Select Committee process we also have a few other points confirmed which were discussed by Chester Borrowes MP and Iona Holsted, Deputy Chief Executive, Corporate and Governance as follows:

Holsted, I think it is worthy of note that it wasn't until Child, Youth and Family came within the Ministry of Social Development that any formal complaints process was established, at all.

So let's be very clear here about the fact that from **1999** and until around **2006** when CYF merged with the MSD there was no real official complaints system in place. So anyone who lodged a complaint during that timeframe might have had them stymied in some way.

Holsted 2006. It was decided at that time that we wouldn't go for an independent panel. So it was discussed. It wasn't ruled out.

So the question has to be if it was not ruled out why then did it not then go ahead? That answer I believe come some years later via the Howard Broad review of June 2013 into the CYF complaints system as mentioned here:

Phase 2 - The Chief Executive's Advisory Panel

The history chronicles the establishment of the panel as a second tier complaints review process after an earlier attempt to develop this concept as an external, independent, and statutorily based structure had failed politically.

Page 42

My interpretation of the above comment (rightly or wrongly) is Labour and Ruth Dyson did not want it and that suited the MSD and CYF as well.

At this juncture had the panel been truly independent CYF would have been so much better than they are now and many more families and kid's lives improved rather than worsened.

Even when the **Chief Executive's Advisory Panel** was set up the MSD and CYF again failed to get the very basics right which was what we can read about here.

Borrows What sort of scrutiny is given, or customer satisfaction survey is done, to find out how complainants feel they've been dealt with by the process?

Holsted, I don't think we have a formal process. We have had letters from people.

We haven't got a formal process. That's certainly something we could do.

So they had no formal process for feedback which sounds astounding given that's one of the most basic features one would expect to have built into any complaints system. See the pattern emerging now CYF just don't want to know/ask something if it does not suit their agenda. By the way when they did address the feedback issues the MSD/CYF as usual manipulated the system to get more favourable results for themselves. I will talk about that soon.

However the merger with the MSD did yield this:

Holsted That's right, but I think it's also important to note what the nature of a

lot of complaints is, and this is a significant learning for Child, Youth and Family and something they're building into their quality of social work practice - **and it's communication**. In a huge number of these cases the complainant **doesn't feel like they've been listened to**. So resolving it is not about returning a child; it's not of that nature. It is actually, **have you taken the time to go back and talk to that family, and step back and say: "Actually, you're right. We didn't do that properly. We're sorry; we'll get it right next time."**

Transcript of hearing for Petition 2008/121 of Graeme Axford
Report of the Social Services Committee

Source: http://www.parliament.nz/resource/en-nz/50DBSCH_SCR5635_1/e13295edf94c21e91defd08e66b94e1022ac3c0c

So even from before **1999 and up until 2006** the CYF complaints system was nowhere near as good as it could or should have been functioning properly. Then we hear in 2011 it still has many more shortfalls on top of that. So from **1999** and right up until **2011** their complaints system still has some serious failings.

I can assure people reading this that in many cases I know about while the CEO accepted all the recommendations from the CEAP the CEO did not seem to check the recommendations they signed off on were carried out at all. What's the point of wasting all that time and money for nothing tangible to come from the process at all? That just seems crazy to me.

The two things the MSD then did from this point in 2011 was they started some kind of reporting process back to their CEO so they say. Then in their typical style they started a satisfaction survey to justify the processes and make things seem better than they actually were. I say that because many people I spoke to would have had different feedback after the CEAP report into their case was released. Here is what the questionnaire form asked:

FEEDBACK ON CHIEF EXECUTIVE ADVISORY PANEL PROCESS

Name:

Please circle as appropriate

1 = very poor, 2 = poor, 3 = satisfactory,
4 = very good, 5 = excellent.

1. *Were you happy with the arrangements made for you to attend the Panel meeting?* 1 2 3 4 5
2. *Were you treated in a respectful and courteous manner by the Review Secretarial staff and the Panel?* 1 2 3 4 5
3. *Did you feel you were able to tell your story to the Panel?* 1 2 3 4 5
4. *Did you feel you received a fair hearing from the Panel Members?*

5. Did you feel comfortable with the Panel process?

Are there any other comments you wish to make

.....

This was given straight after the hearing when some people wrongly assumed if they gave a good response that might help their case along. The issues I have for example question number 4 about a fair hearing. That was impossible to have happened because of the limitations placed on the Panel via their terms of reference which I will soon explain. Also, the Howard Broad review clearly shows how a truly fair hearing was virtually impossible under this current system setup. I will dissect his report soon to prove this point if you be in any doubt about that.

So that's an abysmal track record for CYF developing a truly independent complaints system even with the MSD's help as they see it. I doubt they could have got it more wrong if they tried.

After my first Petition in what I was told was a face saving exercise Minister Bennett commissioned a review of the CYF complaints system which was undertaken by Howard Broad and to be completed by June 2013. It was claimed this was needed not because of my first Petition that made it to Parliament Report and recommendations but rather because of the feedback that resulted from the White Paper for Vulnerable Children consultation. However in that report the outcome of my Petition got a mention on page 9 of the Howard Broad report even if incorrectly.

Here are a few of the most relative snippets worth noting as I see it from the Broad report. What's to follow should leave you in no doubt about how the MSD/CYF set everything up in their favour to start with.

I gather from informal conversations that the Judges would wish **a greater level of consistency in social worker services**. The Court can see poor practice and report it, but it does not do so frequently. **Page 22**

This is a major issue the fact the Court can do something about **consistency** issues but then doesn't, therefore, the poor practice happens time and time again with certain Social Workers. The net result is it the families and children that suffer even more which is something everyone within the system seems to have lost sight of.

The Court does not really provide as rigorous checks and balances or oversight as most people believed or hoped happened in my view. In fact sometimes the family might as well not be present and let the Lawyers and Judge talk among themselves about what's to happen. Some of the lawyers and CYF have their game plan worked out before they get into the Court Room and railroad the judge into their ideas. People dare not speak out as this next bit points out.

All agencies are worried about the consequences of having been critical of CYF. There is evidence that in some places and at sometimes they have reason to worry **Page 22**

I have known lawyers and assessment writers to be told if they don't play by CYF

rules they will be taken off the Family Court approved lists.

Others who know about those kinds of things happening dare not speak out about CYF or their funding might just go and that has been threatened and happened before as I can prove. CYF can put pressure on people any number of ways and there are too many those to list here.

However one example this can happen via a performance review and auditing system to justify the funding cuts on paper. CYF have also put pressure on organizations using funding to get rid of individuals as I believe this next bit shows:

Johan Aarts & CYF:

CYF wrote to Barnardos, which it funds, reminding it of its responsibilities to protect children and asking what action it planned to take.

CYF said in the letter: "You will be aware that the police do not consider that Mr Aarts' behaviour constitutes a criminal act, however, this does not reduce the level of concern that CYF has."

A Barnardos regional manager wrote back to say that Aarts had had regular supervision, no concerns had been raised about him previously and "like the police report, we were unable to prove any inappropriate behaviour took place. Johan continues to deny he has done, or would ever do, anything wrong".

However, Barnardos no longer had confidence in "Johan's professional boundaries" and his continued employment "**could put children at risk**".
Aarts was then sacked

Posted on Sunday 25 November 2012 by reed
<http://blog.eternalvigilance.me/2012/11/state-rape/>

If you read between the lines to me it becomes very clear the game being played and I see this as CYF saying they did not want to fund Barnardos to keep employing Johan. This is far from the first time this kind of thing has happened before and again that's something I can prove. However pressure being put on employers to control their employees is nothing new as you can read here:

Adding to this is what was said in Parliament:

Research that came out this week from Victoria University found that now 10 percent of community organisations believe **debate is actively silenced** compared with less than 1 percent in 2008. Almost 60 percent of them believe that an organisation's funding is at risk if it criticises the Government. Over a **quarter of community organisations now have gag clauses in their contracts preventing them from criticising the Government**

Hansard (debates) Draft transcript - Wednesday, 26 November 2014

Link:

http://www.parliament.nz/en-nz/pb/debates/debates/drafts/51HansY_20141126/draft-transcript-wednesday-26-november-2014

There are a number of **Non-Governmental Organisations** (NGO's) that contact me "off the record" in support of my campaign for accountability of CYF and in agreement with a lot of what is covered in my submissions to Parliament. They are far too afraid to speak out.

While the above quote states “criticising the Government” that also extends to Government agencies which could see their Ministers getting embroiled in anything that could reflect badly upon them both.

I have been advised by some NGO bosses it’s been suggested by the MSD they might want to include a gagging clause in all their staff contracts if they want to continue to get funding from them.

That way CYF are seen to be at arm’s length from this. So if you have a clause in your contract that states you can’t criticize or comment on funding providers that’s what I am talking about. It’s very subtle, but the inference is there in that. It should be logical that if the State Sector suffers from bullying it also filters its way down to NGO’s somehow in different forms. Even the State Services Commission picked up on what was going on within the State Sector as you can see here:

Survey finds bullying is widespread in the state sector

Abusive and intimidating behaviours are widespread in the state sector, according to a 2010 survey by the SSC into standards of integrity and conduct.

<http://www.ssc.govt.nz/2010-survey-report>

In fact while on the topic of bullying the MSD/CYF we have this:

“Bullying rife in public service – survey.

“In June, a Social Development Ministry staff member was stood down after an incident...”

By JODY O’CALLAGHAN. Last updated 08:49 13/09/2012

Source: <http://www.stuff.co.nz/waikato-times/business/7667052/Bullying-rife-in-public-service-survey>

People within the State Sector often tell me bullying gets far worse under National as that’s how they keep a tighter rein on things.

The point of mentioning the bullying is because people often say if things are as bad as I have portrayed them throughout all my documents where are the other whistle-blowers. Whistle-blowers get crucified in this current setting. That I hope will go some way towards explaining this. The Government have way more control over things than most people realise is a point I hope will not be missed. Also whose good are they meant to be working for ours or theirs?

A lot of people out of pure frustration would write to the Ministers and as noted in the Broad review that yielded this result.

The fact that the Minister or their staff performed oversight also tended to lend greater emphasis to the response.

This channel became a first choice channel for some. Some staff might have become irritated at this **"jumping over" the system and adverse consequences for the complainant could not be ruled out.**

Page 25

However, sometimes this approach backfired and made things worse not better

which is why I took it all one step further and went public. CYF often overplayed their hand with me so in doing so I had a lot less to lose than them by this. If you read my personal account of my dealings with CYF in **Chapter four** that statement will make more sense. So I went to the media and as noted in the Broad report that could have been avoided:

The second is that the likelihood of media "exposure" **is less if** there is a high quality and credible complaints system in operation. Additionally, that such a complaint system's credibility is tested by an effective and independent oversight system. **Page 26**

CYF hated people protesting and going to the media, but sometimes it was the only way to get them to listen. Had they listen in the first place the protesting, Facebook Petitions and web pages about them never needed to have happened so they did bring that on themselves. More so given this:

It was difficult to complain. There was an absence of information about how to complain and a demeanour and attitude from staff to which complaints were addressed that impeded the complaint taking process. **There was an absence of genuine listening involved.** The complaint taking process **reduced the complaint down** to a core or narrow issue in which the overall importance of the complaint to the complainant was lost. **Page 26**

Just as a point Toni Hocquard, who was the **SWRB** Chairperson stated that: **Hocquard said the number of complaints received were just the "tip of the iceberg", as most people needing social workers were already vulnerable and unlikely to complain.**

Rogue social workers look after vulnerable
KIRSTY JOHNSTON
Last updated 05:00 21/07/2013
- Sunday Star Times

<http://www.stuff.co.nz/national/health/8944942/Rogue-social-workers-look-after-vulnerable>

Yep CYF seems to think if they make complaining hard enough and say no often enough people will give up and go away. More people do than don't so that does work for them more often than not to a point.

There was little effort made to set expectations for the complaint handling process. This often 'set up' the complainant for later disappointment when it became clear that their complaint could not overturn what they **perceived as an unjust court** decision. The process of investigation was not clear leading to a belief that **it was unnecessarily truncated or biased in favour of the social worker.** **Page 26**

I think by the time you get to the end of this document you should be in no doubt if you're not already how within CYF own complaints system things are overtly stacked in CYF favor. On this odd time you did get a win you then faced this backlash:

A belief that the complaint would create consequences for the complainant.
Given that the complainant would in most cases be in some long term

relationship with CYF, particularly if they were a child, the costs of making a complaint were perceived to dramatically outweigh the benefits of doing so. **Insiders to the system have acknowledged this was more than a perceived problem.** Page 26

That is a form of intimidation in my view when this happens.

I have a few cases that show how CYF went after people. However the MSD excused their employees and, in fact, encouraged them to keep on going by claiming they acted as “staff nevertheless but with a point of difference being “**Staff in their personal capacity or as a private citizen**” So their issues become a **private** matter rather than a **professional** ones, therefore, the MSD would not address them at all they claimed to me and others.

A frustration that errors that appeared in the professional practice relating to matters before the court were **not corrected through the oversight that the Court provided – that the Court simply received and accepted the social workers findings and that there was no realistic means of redress within the Court system for those sorts of problems.** Page 26

I totally agree with that and this is how if all else failed they could stitch someone up. I have such an example near the end of this document which is a very rare published reporting of a case in which CYF got caught misrepresenting a counsellor’s report to get the result they wanted. Yet nothing was done to fix the issues even now so the family fled the country and in doing so make themselves fugitives **Page88**. So they are in trouble with the law because of the law not doing its job properly as they can’t get justice in New Zealand on this matter. Here is why no one will help:

Taking complaints in relation to a matter that is before, or has been before the Court requires an unpicking of what the jurisdiction of the Court is or has been, and what is properly a matter of administrative complaint. It is too easy to say “it’s before the Court, we can’t do anything”. Therefore, a carefully researched piece of advice in the guidelines that goes beyond just identifying the areas which can be subject of complaint might be very useful. **Page 78**

Way too much underhandedness happens in the Family Court where a Social Worker will influence a report writer, Lawyer for a child to support their reports so they look more favourable than it otherwise would be to the judge. If you get more professionals to agree with CYF rather than disagree then, of course, that might sway the judge more. Nearer the end of this document look at the section called “**Child, Youth and Family (CYF) Affidavits & Specialist’s Reports** to see how that happens and they get away with false Affidavits and Reports as shown on **page81**.

The process was governed by those in the workplace that had been complained against. Page 27

That’s the very same problem I am facing now in 2014 and it’s been that way right the way through the complaint system over the past 14 years I have had to deal with CYF.

There was a lack of support in the complaint process and in particular the process **lacked an independent oversight** that was close to it **(the**

Ombudsman being seen as a little too distant). The process was governed by those in the workplace that had been complained against.
Page 27

Again all that is very true and if you go to the Ombudsman they can't I am ever aware of look at staff behaviours. Nor can they look at stuff that's before the Family Court or anyone else for that matter.

The problem is most CYF interventions are before the court and have regular reviews so there would be very few cases with CYF involvement if any that are not before the court for one reason or another.

Then if a case has been through the court no one will look at it because they claim to do so would be equal to re-litigating a case again which should not be done So I am at a loss to see how you can get around that problem given those excuses.

This bit is talking about the **Chief Executive Advisory Panel (CEAP)**

Following the review, on **21 July 2008**, a new comprehensive complaints policy was promulgated. The Complaints Review mechanism commenced from that date. However, despite good intentions, the focus on demand management diverted managerial attention and resources from complaints management. **There is an acceptance that the intentions of the 2008 reforms were blunted:**

1. Although a need for specific staff investment into the complaints process was indicated, **no additional staff were provided;**

The system demanded new processes and behaviours at site level but the training provided was limited;

The system also required new features in the information technology available and this was slow to come on stream.

It was not until 2011 that a further review of the process was undertaken that led to the modern changes that are currently being rolled out through CYF offices nationally. These changes rectify the earlier blunted rollout:

Page 27

So there you have it again from 2008 and until 2011 there was not enough resources allocated to properly support the newer reforms. That set everyone up to fail... That's a Government funding issue so Parliament let us all down yet again by failing to resource what was needed in order to get the job done properly.

Also for the people that said I could not make any difference the 2011 review of the CYF complaints system was no coincidence as they realised I was hot on their case. The MSD/CYF needed to be seen to be doing something to addressed the issues I was going on about to them and then before Parliament. The thing is if the MSD/CYF had of listen to me before 2011 and acted on the issues I brought to them I would never had needed to involve Parliament in the first place. The Broad report went on to say:

A lack of feedback on the process. In turn this generated a feeling that the **process was useless because nothing happened as a result.** In particular it was perceived there was a major gap between the complaint process and the disciplinary process. Further, that if an error in the relevant record was the subject of a complaint the **complaint process did not result in the error being removed** - often having to be re-litigated repeatedly through all dealings later with the department. **Page 27**

You will note yet again the lack of feedback That's why CYF don't seek feedback as to create plausible deniability. They also don't need to fix problems that don't appear on their radar. Therefore if the MSD/CYF sees no evil, hears no evil, therefore no evil to be spoken of they can deny it ever existed. Then we have those issues:

The complaint handling process **was perceived as flawed, with breaches of confidentiality and a lack of professionalism.** The rapid turnover of staff handling the matter did not help. **Page 27**

The system is clearly flawed and CYF would often breach complainant's confidentiality in some very unprofessional ways. I will give you one example of the many I have. We were protesting outside a CYF office and a reporter approached a protestor for an interview. When the reporter had finished the interview the CYF worker approached the reporter and asked if the father told them their child is still under CYF care.

The reporter said yes. The staff member said well for good reasons in our view and you want to be careful this story does not backfire on you by being seen to support child abusers. We might have to respond to what you print and you could end up with egg all over your face.

The person in question child was actually living back with them but not discharged from CYF care. Yes, they were accused of child abuse but those claims were proven to be totally malicious. The reporter canned the story, but my point is CYF had no right to say what they did just because they did not like the protesting and the fact it was happening and potentially becoming a news article.

I also want to point out they went into greater details about the case than I am legally allowed to write about so there was way more to that conversation than I can ever tell you about.

These kinds of things happened a lot and what made it hard for us to get any real media attention. However back to the Broad report quotes:

And, tellingly, that the whole process was simply **CYF looking after CYF.** Whether or not elements of the process had elements of independence (e.g. the Panel) the process was not perceived as independent and therefore was unfair.

In every **case, communication was a big problem.** Much of the **communication was delivered in an oppositional manner,** expectations were not clear and consistently set, progress reporting highly variable and the final disposition of the matter often disclosed a **vigorous narrowing of the complaint** and a blunt defence of the system. **Page 27**

To me, that really points to the most major issue and many people that read that in the report I talked with all seemed to agree. However we already knew this as Iona Holsted, Deputy Chief Executive, Corporate and Governance mentioned that in 2011 before the Select Committee. It's still an on-going problem even now in 2015.

Most of the complaints related to behavioural factors (being treated with respect, being treated fairly, and communication). **Page 41**

That to me is the biggest problem within CYF and it's not rocket science...

I also want to point out there is **"the standards of integrity"** for the State Services if they were applied in practice that would stop a lot of issues people have with the MSD/CYF from happening if they were followed. Let alone the **Aotearoa New Zealand Association of Social Workers (ANZASW)** Code of Ethics or the **Social Worker Registration Board (SWRB)** code of conduct. All of those are pointless and toothless within the MSD/CYF environment from what I have seen to date. Examples: it's before the Court, or a decision was made in consultation with other professionals rather than any one individual Social worker being responsible for it per se. By the end of this document hopefully you will see how easy it is to make those Codes null and void. While the SWRB totally disagree with me about this they need to pull their heads out of the sand and take a reality check in my view.

Howard Broad went on to say:

From a staff members perspective it is easy to gain and hold the view that if a client complains loudly and often they will get more attention, and result in decision changes that **the social worker does not agree with.** **Page 46**

I do have to agree with that and can see why they get pissed off with it but here, for me, are the issues. If the Social worker made a wrong decision it should rightfully be changed. But if it's being changed to solely appease people and keep them quiet so they go away that is wrong and highly dangerous in my view and should never happen for that reason.

They also thought that it was necessary that the complaint process be properly marketed. **Page 47**

I have had to tell many people the CEAP exists let alone the Social Worker Registration Board as you can see I raised that point here:

We raised this very issue with CYF when the pamphlet was in draft stage and requested that we be included. It was not for want of trying and we found this to be just as frustrating as you but given not all CYF social workers are registered this was not included.

Page 11, my submission on mandatory registration

Quoted comment from Sean McKinley. Chief Executive/Registrar Social Workers Registration Board

Source: http://www.parliament.nz/resource/mi-nz/49SCSS_EVI_49DBHOH_PET3061_1_A195213/766a89170f9ec698dc6b581893902e8cd6c63805

CYF brought out a pamphlet **"when we visit"** and remarkably did not bother to tell people about either the SWRB or ANZASW. Strange that! It's like they don't want people to know these things for whose sake? However be warned that all Social Workers being registered is not a silver bullet and in my view under the current

system makes it even harder to truly hold CYF staff accountable in the way people would like. I am 100% in favour of mandatory registration but not with the current regime in place we have now. The Broad report also went on to state:

I explored this issue for the purpose of determining whether external supervision might form part of the balancing of the role and function of social workers under CYPFA. In Minnesota, USA, legislation requires that supervision be. **Page 50**

In other words, CYF kept everything in-house as much as possible. However even if external supervision did happen I bet a lid will be kept on that via some confidentiality and non-disclosure clauses. CYF rule their domain with an iron fist after all.

For there to be independence, and as importantly the perception of independence, the following needs to be present:

End of page 78 to page 79

1. The appointment of the Panel members through an independent process.

This would be satisfied if the membership was appointed by the Minister, the Ombudsman, the Children's Commissioner or some other person independent of the Ministry.

Now this point I do sort of agree with bit not quite. Having the Minister appoint people or the Children's Commissioner could be seen to suffer from nepotism and cronyism as the Children's Commissioner reports to them anyway.

- 2. An opportunity for an independent approach to the Panel. Currently the Panel is a "Review" panel of matters that are channelled through the first phase of the CYF complaints resolution process. The value of an independent approach is that a complainant can **be satisfied there is neither censorship nor narrowing of their complaint.** It is vitally important to allow this mechanism, even if subsequent steps are then carried out in the CYF process.

Many complaints were narrowed to the point they lost their purpose because of the terms of reference or not being able to look at Affidavits even if tested and proven wrong on the odd occasion by the Family Court itself. That's how some questionable staff keep getting away with things that in any other court would be considered perjury.

- 3. The resources available to the Panel ought not to be questioned on the basis of presumed partiality. **Resources affect the amount of time** that can be spent on a review, **who and where relevant people may be spoken to, the amount** of preparation that can be provided. **The number of Panel members affects the timeliness of cases.**

The CEAP has been under-resourced and I have seen all of these things mentioned above happen to the detriment of all involved. When you consider Iona Holsted, Deputy Chief Executive, Corporate and Governance told the Social services Select Committee in 2011 that **“Mel Smith has commented to me several times that he feels really well supported”** does seem a little at odds with that.

1. 4. The ability to act is also an incident of independence. Who the Panel reports to, what they are allowed to say and to whom, are all part of the freedoms to express an opinion without perceived qualification.

I can tell some of the CEAP members have in my view been rather cautious in what they have been trying to saying things and could not figure out why until I read this

1. 5. The protections that are available over process are also an incident of independence. Can they take information through confidential sources that can be protected? **Can their work be stymied** through fear of retribution against an expression of opinion (e.g. the threat of defamation)? Often independent authorities are required to observe confidentiality over their work and are protected from undue attack.

I would not believe some protection was not afforded to them as not to seem crazy not to have unless they planned it that way of course.

1. 6. The level of independence ought to be commensurate with the significance of the issue under discussion. **The issue of the integrity of the child protection system seems to me to be an area where significant level of independent oversight is warranted.**

I agree with that and the fact it's still not happening now means that potentially

In these respects the Panel is not independent.

Page 79

Some commentators thought that the Panel could be usefully added to by having a **“non-insider”** as a member– that is someone **who has not immersed in the area such as a social work professional or a wellington public servant**. I am sure that this is code for a level of mistrust in the system and a belief that some of the problems can be “cut through” **with an objective and “common sense” approach.**

Page 80

That really does need to happen because as someone put it to me going to the CEAP is like going to the mother-in-law to complain about the wife.

....there may be an issue in supplying the Panel with some information held by CYF.

Page 80

I would go one step further than that and say when issues are raised some CYF staff seems to when it suits them, start suffering from a strange phenomenon which is like a new type of amnesia striking them down. Its main symptoms include machinations or phantasmagoria and evasion, apoplexy obfuscation and omission of the truth, and if all else fails confabulation, based on some kind of self- preservation if they are heading for the proverbial; hitting the fan. When the then minister of social development Paula Bennett commissioned the Howard Broad review she made sure to protect the current CEAP from too much criticism via this as I see it:

It will not re-examine any particular case **investigated by the Ministry or CYF Complaints Panel.**

25th October 2015

Source: <https://www.national.org.nz/news/news/media-releases/detail/2012/10/25/independent-review-of-cyf-complaints-process-underway>

So they still refused to look at **ultimate complaints satisfaction** again for previous participants. I believe that was to hide the fact the CEAP had some failings. If they had of found the problems they might have to fix them or allow people another rehearing etc... Paula Bennet did more reviews than any other Minister before her yet nothing really changed. I think that both Ruth Dyson and Paula Bennett failed to bring CYF into line to the detriment of us all but not their own careers it seems. It also concerns me what I hear some of the up and comers saying. They clearly have not grasped the issues as I see them and risk going astray.

There is just a point I need to make. The **MSD** wrote the **terms of reference** that control the **Chief Executive's Advisory Panel**.

32- The panel will not focus on individual social workers actions or the actions of staff as individuals.

33-...rather than on assigning responsibility to individuals involved in the events in question.

Child, Youth and Family Complaints Review Panel Terms of Ref – Final 13 March 2008: 7

I supported a number of people going before the Panel and they seem to go out of their way at times to do this. While I can't nor will I talk about other people's cases and reports without their permission I can my wider families and with their blessing I should add.

Here is are two extracts from our second 2012 **Chief Executive's Advisory Panel** to show how far they took things:

69) "In the view of the Panel the decision was, and is, a valid one. Mr Axford can and does pick and choose to whom he addresses his complaints. He has to accept that Child, Youth and Family can also choose how it responds within the accountabilities and responsibilities it has. Mr Axford has addressed many of his complaints to Child, Youth and Family as an institution..."

First of all, of course, I had to address CYF as an institution as it is that structure the staff worked under. I mean what was I meant to do? Write to them at their home about work issues. Or just write to them as “the Social Worker” but not actually address it to the person or name them. Like how many Social Workers do they have in an office so one needed to be specific for that reason?

Secondly: I do admit it would help if they did something like this Regional-Director-Southern@cyf... so the emails stayed in that region even if people move on from the position. So if it was a local issue they remain and if it was a more personal issue to the people holding that position they use their own named email address eg John.Doe001@cyf... So the emails go to the right place or person as they might not be one in the same thing. I found the regional directors moved around a bit and in the space of a month dealt with 3 different people in that position. One had no clue what the other said or was doing so I would have to chase them up personally. Staff moved positions and failed to brief or follow up on what they said so I had to then chase them up about things as they left no information for their predecessor.... That statement from the CEAP again shows how they are trying to avoid personal accountability in favour of the institution/organisation line. You can see this again here why they try to help the staff fronting. I requested I requested as part of the CEAP processes a chat with the Social Worker in the hope I might get my perspective across as far as the ramifications of their decision. I might also learn a few things from their perspective as well. So as noted in our Second CEAP I asked for:

“That Mr Axford has a face to face meeting with the social workers involved, principally (name removed), to get straight answers to his questions”

As you can gather then answer was:

82) 3."His request to meet with the social worker and her supervisor should be declined..." Page 12 CEAP report.

They denied me and them this which I am sure would have been a learning point for both of us. Even the CEAP avoided personal accountability in saying no to that.

Now let's get down to some of the real nitty-gritty as I show you how much more the odds are stacked against you in the Family Courts/Caught\$. This is where if all else fails you can get done over in ways there is little if anything that can be done about it overall.

Affidavits & Specialists reports.

This is in response to a review because of complaints made to Child, Youth and Family (CYF) over the healing of a case:

“I should note at this point that the Child, Youth and Family complaint process **explicitly excludes** matters that are before the Family Court. Therefore, any response to your initial concern would have been limited to the issues you raised about the service provided by Child, Youth and Family and the manner in which you and (Name removed) were treated, not the evidence provided to

the Family Court by Child, Youth and Family. **For the same reason, this current review has not responded in detail to matters raised in Family Court Affidavits as this information has previously been tested by the Family Court”**

Original source: letter dated 13 September 2012 from Northern Region Director.

Mentioned in submission for Petition 2011/33 of Graeme Axford Supp2 Page 2 of 5

<http://www.parliament.nz/resource/0000229979>

Many judges take CYF at their word, and don't bother giving their Affidavits proper scrutiny and in many case's none at all especially if the CYF Lawyer and Social Worker, as well as Counsel/Lawyer for child, are speaking in unison. Some counsel/lawyers have been severely and wrongly influenced by CYF. I also want to point out the Affidavits referred to in the **13 September 2012**, were given proper scrutiny and found wanting yet the CEAP would still not look at them after this.

Below was a question put to the **Chief Executive Advisory Panel** before a hearing about the actions undertaken by Child, Youth and Family (CYF) the organisation on the behalf of its employees!

“With regard to your question if it is policy for the Panel not to question the accuracy of Court Affidavits supplied by CYF Social Workers?

I put your question to the Panel Chair who has advised that the **Panel cannot review the accuracy of information provided to the Court in Affidavits from by CYF Social Workers. That is a matter for the Court as part of the judicial process”**

Source: National Manager Review Secretariat Tuesday, 5 February 2013 4:30 p.m.

Subject Update regarding hearing date and Panels response to queries.

Even if CYF do get a truly independent complaint system that's only one part of the puzzle as what happens in the Family Court as far as Affidavits needs to be addressed also. But even after that there are two other issues and the first is that some assessment and report writers seem to be in CYF back pocket. If you doubt that look at this:

I have been given the excuse when things go horribly wrong that Social Workers don't make decisions in isolation but rather in conjunction with many others. CYF consult with peers and other colleagues such as *Non-Governmental Organisations* (NGO) as well. They have supervisors and all sorts of Managers like for example Practice and Operations just to name two. Followed by Regional Directors and the office of the Chief Social Worker if needed and even then CYF have to act in accordance with the law which must be followed along with their Policies and Procedures that also provide guidance. Their Social Workers also consult with the **Care and Protection Resource Panels** (CPRP) and take into account the outcomes and plan made at **Family Group Conference's (FGC)** as well.

They work besides their own Lawyer and Counsel/Lawyer for Child and

report/assessment writers to help guide what's in a child's best interest. CYF also consult with the widest possible range of people like teachers and health professionals and many others besides them to numerous to list. ... CYF sometimes talk with family and friends of the client and significant others they deemed to have something to offer as well. Therefore, the individual Social Worker cannot be technically or solely held responsible

Then the MSD go on to justify CYF decisions and evidence by suggesting they are subject to the scrutiny of the Family Court. While that all sounds plausible is it reasonable that at the end of the day after all the buck-passing, not one person can be called to account if mistakes are made.

Now rather than ultimate complaints satisfaction CYF have the ultimate sure-fire excuse as follows:

CYF best get out of jail free card is by saying we have to follow the Court's instruction like them or not. However, that's not as clear cut either and CYF more than anyone can work behind the scenes to rightly or wrongly get the outcome they want.

As some might remember I have already explained how the CPRP and FGC can be manipulated along with the report/assessment writers leading up to the Family Court. Then the Family Court themselves get sucked in via false or misleading information, therefore, being coerced into believing some things that are not at all correct. They made a bad decision based on the bad information they have to work off and CYF were behind this all.

Even the Social Workers Registration Board (SWRB) has been stumped by this because of being unable to clearly assign a decision to any specific individual. The Social Workers are able to hide behind the MSD and systemic issues as their rebuttal and way to aggregate their personal responsibilities. The way I see it is if not one person is accountable then they must all be as a team, but the MSD won't wear that either.

So unless you can see a way through the quagmire that is CYF and the Family Court system let it be said if you agree what I have claimed is correct there is no real-time or at all individual accountability that I have ever seen from 1999 right up to 2015 and more than likely beyond. Anyone who claims otherwise does not fully understand how the system works against rather than for the complainant.

That's why I must go on until real accountability comes and we are a long way off that currently happening.

Court appointed Psychologist/Specialists reports.

There is no doubt that at times CYF does overtly try to influence assessments and reports because they have a vested interest in doing so. By that I mean if a report goes against CYF decisions that might put them in an awkward position with the Judge. If you doubt that then this next bit should show you how that might just happen.

..**“It is quite reasonable for the Department to expect this to be done by way of its own specialist services,** but there is also the ability to obtain a s178 Report through the courts if there are matters which require further examination”

I might add for (name removed) benefit, that had this been done, **the psychologist that she was seeking would not have been somebody who the Court would have appointed.** He is not on the Court list to undertake reports of this sort.....”

DIRECTIONS OF JUDGE Dated 18 January 2013 **(identifying features removed)**

Now the psychologist referred to is duly qualified, experienced and registered. The issue around why they are not Family Courts/Caught\$ approved is because they will not be influenced by CYF or the Lawyer/Counsel for the child or the client to write anything other than what they see as the truth. It seems that they can help in any other case or Court except the Family Courts/Caught\$.

Even if it proven that CYF had a major influence on report or assessment writers that's not deemed as wrong as long as it not done in bad faith.

Then we have this failsafe some people rely upon to avoid all possible accountability:

444 Liability of persons providing reports

No person who furnishes a report to any court for the purposes of any proceedings under this Act or who supplies any information for the purposes of any such report shall be under any **civil or criminal liability in respect of the furnishing of that report or the supply of that information unless the report was furnished or the information was supplied in bad faith.**

Children, Young Persons, and Their Families Act 1989 (CYPFA)

Source: <http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM155060.html>

You talk with a lawyer about how hard it is to prove bad faith and you should find this is just about impossible. They can get around it by saying they had poor report writing skills, misinterpreted things or that was their own personal judgment at the time... That a slam-dunk... Game over...

That's not all you have to overcome then there is this if you are a parent.

CYF don't have a duty of care to anyone but the child even at the expense and detriment to the rest of the family as this statement shows:

“The lawyer, (name removed) told the judge that CYF has no duty of care to the parents and therefore any claim of negligence must fail...”

I just want to deviate slightly to support this point of law via this statement:

There is no right to family life in NZ [27]

Source:

L v Ministry of Social Development court of appeal: CA836/2010 [2012] NZCA 406

Parents often say we have rights and I challenge them to show me where they are in

*law and been upheld as such within New Zealand. I am still waiting to see this is done. It might one day but not at the time this is being written I am aware of to date. However near the end of this Chapter two, I will elude you to a way I believe CYF can be taken to task. This is something most people have missed around the principles of **natural justice** and what a powerful tool this can be.*

Anyway back to the case about trying to sue the Social Worker and CYF. During such a case, the parents stated that (they CYF):

CYF “....lodged a misleading and inaccurate Affidavit in the process...”

The crowns Lawyer, on the other hand, said:

“...conceded that his Affidavit could be interpreted, and that's the key word here, interpreted to be misleading, but that it wasn't deliberate...”

Source: Originally aired on Checkpoint, Wednesday 12 November 2008
Child Youth and Family have given its version of events in a court hearing following the death of a baby in its care.

Duration: 2' 44" Now in MP3

<http://www.radionz.co.nz/national/programs/checkpoint/audio/1781352/cyf-denies-duty-of-care-breach>

So I hope it's obvious by now when people talk about suing CYF they might laugh at you as they realise how hard that would be. How complicated therefore costly that would become for you. The amount of hurdles you have to overcome then if all that was not enough the Social Workers have liability and indemnity insurance to fall back upon personally. That's only if the MSD/CYF will not help them out. However, I am not saying it can't be done just pointing out the many problems you would face trying to sue them.

Now let's tie this all in and talk about the one thing many won't. That's blatant perjury in the Family Court. It's meant to be a crime but in the family CourtS/Caught\$ often standard practice. In the criminal Courts where the normal rules of evidence and disclosure apply it's meant to be so much easier to have someone done for perjury isn't it. Well not so if you believe this:

ENFORCE THE PERJURY LAW OR DITCH IT

by Cameron Slater on September 3, 2015, at 8:30 am

That's the no-nonsense call from Auckland barrister Chris Patterson in the wake of a startling admission from police **they're turning a blind eye to perjury because it's too difficult a crime to prosecute.**

<http://www.whaleoil.co.nz/2015/09/enforce-the-perjury-law-or-ditch-it/>

So if people can get away with it in other Courts because **perjury is too difficult a crime to prosecute** then you have an even lesser chance of it being enforced in the Family courts then I would think. To start with one would have to get past the **Section 444 Liability** issues in the CYPFA Act 1989. Then you got the other issues I covered like **no right to family** or **duty of care to parents**.

Then we got the fact that people are more likely to get away with perjury then charged for it even if caught. I can assure you I have many examples of how some CYF staff got away with blatant perjury but, for the most part, can't share them with

you owing to the Family Court suppression orders. **See how the suppression orders are protecting professional's doing the misconduct rather than the victims of it.**

However I have a recent example of this having happened you can read about here:

CYF apologises for misrepresentation

By Jody O'Callaghan

Child, Youth and Family has apologised to a counsellor representing a child involved a Family Court dispute, who claimed her concerns about the child's safety were miss-represented.

The child is living overseas with her mother after she was removed from the country mid-way through a custody dispute.

An independent counsellor, who assessed the girl from the age of four, had written a letter to the court that said the girl "had disclosed information and was exhibiting behaviours which indicated that she was not safe" during access visits with her father.

She believes the letter was then used by CYF out of context, which led to her view on the welfare of the child being misrepresented.

It appeared to have "serious misquotes which change the intent, content, meaning and context", the counsellor said. There was a "moral breach of both trust and respect" when a letter she wrote to the family was used in court without consultation, she said.

CYF have since apologised to the counsellor.

The response from a CYF manager in Canterbury said it was "not the way we expect our workers to practice", and expectations in the writing of court Affidavits or reports would be made clear to staff.

"I unreservedly apologise for the way we used your material in a court document.

"It was clearly taken out of context and at no time did the social worker discuss the information with you and/or clarify its subsequent meaning in the light of the context in which it was written."

CYF Southern director Kelly Anderson said the agency had "thoroughly reviewed any dealings we have had with this family", which had been shared with all parties involved.

She said it was "inappropriate" to comment further.

Print article not online.

A follow-up story below:

Custody dispute turns nightmare

JACQUIE WEBBY

Last updated **05:00 29/11/2013**

A South Canterbury grandmother wants her family reunited after a four-year custody dispute she describes as a nightmare.

The grandmother, who cannot be named for legal reasons, can no longer visit her daughter or granddaughter as they have fled overseas. She claims the courts are not protecting the child.

It is a case that has seen Child, Youth and Family (CYF) make an unreserved apology to a counsellor and one where a judge's outburst was described as "shrill and unprofessional" by a judicial conduct commissioner.

The unreserved apology from CYF was written by CYF Timaru and Ashburton site manager Chris Burke.

It concerned a letter written by a counsellor to the child's parents in October 2010, which had been given to CYF and which was edited and used out of context before the Family Court.

The counsellor complained to CYF that the misuse of her report was a moral breach of both trust and respect for the writer, claiming her concerns about the child's safety were misrepresented.

In his apology, Mr Burke said CYF "unreservedly apologised for the way we used your material in a court document".

"It was clearly taken out of context and at no time did the social worker discuss the information with you and/or clarify its subsequent meaning in the light of the context in which it was written."

He went on to say: "As discussed with you, we never intend to shut down the voice of a child.

"Our focus, like yours, is to advocate for the safety and wellbeing of children and young people."

A copy of the CYF apology to the counsellor was released to the family after an Official Information Act request, but the grandmother said this did not happen until late last month. The grandmother said even this was not straightforward as the family was forced to fly a lawyer from the South Island to Auckland to collect it, even though the grandmother holds a power of attorney for her daughter.

The second complaint, made by the family, was against Judge Emma Smith

and relates to a Family Court hearing into the terms of a parenting order in 2010.

An outburst by Judge Smith during the hearing was described as "shrill and unprofessional" by Judicial Conduct Commissioner Sir David Gascoigne.

Sir David subsequently referred the matter to the "head of bench", Chief District Court Judge Jan-Marie Doogue, saying there was a "significant and troublesome aspect of judicial conduct present".

Responding to Judge Doogue, Judge Smith said she was genuinely apologetic for any and all distress caused.

The case dates back more than four years, to when the child was first assessed by the independent counsellor.

The father of the child had access rights to his daughter and a custody dispute was in progress when the mother fled the country with her daughter.

For the grandmother, the chapter of events has been "like a nightmare".

"We have a wonderful family and we just want (them) back home with us," she said.

"They currently live in a country not covered by the Hague Convention, but we want them home."

The grandmother said the family wanted either a complete mistrial to be declared or the whole matter wiped from the record.

"We also do not want him to have any contact whatsoever with his daughter," she said.

The Timaru Herald <http://www.stuff.co.nz/timaru-herald/news/9455894/Custody-dispute-turns-nightmare>

I can assure people this is far from the first time things like this have happen but the first time I can recall it's gone so public. No one has corrected the mistakes and the people involved at large hiding away in another country. How can you possibly win against that and the question needs to be asked why someone would do it and then be the staff be allowed to get away with this as has happened?

The Office of the Children's Commissioner (OCC)

In Chapter One, I have shown how the OCC was basically hogtied even by their own admission as belatedly and reluctantly admitted by Dr Cindy Kiro. This is an update to what I talked about in Chapter one and actually further supports those points.

The Children's Commissioner, structure has been set up to help maintain plausible deniability so they are unable to do their job properly. In other words, if they can't find anything they can't report on it. If they can't report on it then things appear better

than they are because they are none the wiser. In others eyes who we report to about such matters, this makes our Government and things look better than they are actually going for children. So I see this as a face saving exercise rather than reality check and real stocktake on where things are at. The Office of the Children's Commissioner (OCC) is hogtied and in effect powerless and toothless in reality. Yet they took the money when about their business and played the game as I see it.

Before I get into too much detail again a lot of people have asked what's driving our Child Protection System in New Zealand. Where did the framework drivers or concepts come from that brought our current CPS into existence?

The answer to that is the **United Nations Convention on the Rights of the Child (UNCROC)** as you can read here:

UNCROC is a major influence on New Zealand child protection policies and practice. The reviews and judgments on performance against **UNCROC** flow freely from the UN and measure our reputation in an area for which we believe we deliver high standards. The **Office Of the Children's Commissioner has the responsibility to monitor New Zealand's performance against the standards set in the Convention.**

Page 19 Broad Review

So let's see how this all works and things going for the OCC as they undertake the role:

Getting back to the Howard Broad we see the first problem here:

- The "**monitor/assess**" (the word "**investigate**" is absent) function under s 13(1)(b) relates to "(i) the policies and practices of the department or (ii) the policies and practices of any other person, body or organisation that relate to the performance or exercise by the person body or organisation of a function, duty or power under that Act or Regulations made under the Act". This does not allow the use of the Commissioner's special powers to acquire information for monitoring and assessment. This may need to change to give full effect to the Commissioner's role in an extended complaints investigation and review function that may, as I have said, be envisaged. **Page 54**

There is a big difference between being able to just "**monitor/assess**" compared to investigate. The first means you are a passive bystander the second implies you can get more actively involved. As best I can explain one means you take what's given and work from the information supplied and the other you can seek out information and people yourself beyond that...

This bit in the Broad review I find unbelievable the lengths people have gone to in order to provide wrongdoers with protection:

The Commissioner and staff must maintain secrecy; this is subject to certain limitations (s 22). The limitations impose a restriction on disclosure of information obtained under s 20 so that it cannot, for example, be reported to the likes of the **Chief Executive** or the **Social Workers Registration Board**

Page 55

So the **CE** and or the **SWRB**, get left in the dark about what's going on. So the wrongdoing if there be found any does not get corrected.

I believe that the expectations placed upon the Children's Commissioner in the Ministerial agreement should be raised and the resources provided to.

Page71

In other words, they are underfunded and resourced therefore not doing the job as well as they should through no fault of their own in this case.

The Children's Commissioner's powers to investigate decisions affecting children (under s 12(1)(a) of their Act) or decisions made under CYPFA (under s 13(1)(a)) must relate to a child in that child's personal capacity. **This probably limits in some degree the power to investigate complaints made by adults against their treatment during decisions or actions that are taken under the Act.**

With its limited budget, and also the limitation of the power to investigate, it is not surprising that it has not performed the role of the regulator of CYPFA and CYF as we might now expect it to do. To further explain, in the 2012/13 financial year its Output Agreement with the **Page 81**

I see that as by far the biggest problem as in all of this. They treat the child as an island and then all the professional seem to assume what's best for them. In essence, the Children in my view become depowered rather than empowered to have a real say about what they really want. That is the opposite of what's meant to be happening under the **UNCROC**.

So to be clear about what I am saying some previous Commissioners are in my view equally complicit in the wrongdoings of CYF by not highlighting them. They failed to speak out or acknowledge the failures of CYF.

Given the 14 reports and reviews done on CYF at any point between the 1 to 14 previous Children Commissioners could have picked up on their recommendations and made it their job to see they were implemented.

Previous Children Commissioners reports by far pale in comparison to the work done by the current Commissioner Dr Wills from how I read them.

I tried to arrange a meeting with the **Office of the Children's Commissioner** as their staff come to Greymouth once a year I believe to see how things are going.

I did tray and get an invite to their meetings but were told:

"You are interested to know why you did not get an invitation to the stakeholder's meeting that was held in Greymouth. We usually invite stakeholders who represent a community group which has a relationship with Child, Youth and Family. These meetings focus on themes and issues relating to Child, Youth and Family and not on individual cases...."

17 January 2014
Manager Monitoring and Investigations

Now in order to get “themes” they come from what? Individual cases!

Here is where it also gets interesting because remember the Howard Broad report talked about the possible consequences if people were to speak out about CYF. So those groups who have a relationship with CYF will want to stay in their good books to keep their funding and keep in good with CYF. A free agent like me throws a spanner in the works for the OCC as they might learn things they would then have to address. It seems at times the OCC go out of their way not to find any issues with CYF. Then they point out trivial issues to bring up in their reports so they are seen to be doing something other than cosying up to CYF behind the scenes. You might have picked up my scathing criticism of the OCC simply because they did not try hard enough in my view until Dr Wills come along in 2011. While it seems to have taken Dr Wills a while to find his stride he has by far outshone anyone before him.

What I found interesting was when I question if the OCC read my submissions I put before Parliament they said no and nor were they going to as that’s not a process they get involved with unless asked to by Parliament itself.. Same with the Howard Broad review as well. Now if that staff member informed me correctly I see that as a shocking admission. There could be things in other reports the OCC could run with, but I guess that just points to the fact they would rather not know.

That’s a good way to create plausible deniability I would think. You would have to be blind not to see it, deaf not to hear it or lame not to trip over the fact they were avoiding anything that reflects badly on CYF prior to 2015.

The only logical reason for this I can come up with rightly or wrongly is to appease their joint Minister of Social Development who CYF and the OCC report to. So they OCC seem to be more help towards the Minister than the public who have dealings with CYF for which they are meant to monitor. I pondered why things would work or be setup this way and think I now know why. So they can report to the **United Nations Convention on the Rights of the Child (UNCRC)** our CPS is better than it actually is as far as outcomes for children in state care. In other words, they are trying to cheat our international obligations as I believe they have tried to do.

Children’s Commissioner have allowed state-sanctioned legal kidnapping by failing to have the right checks and balances in place to protect against this.

Just to be clear about Dr Wills report titled “**State of Care 2015**” its focus is only on children but in doing this misses many of the other issues like in the Family Court or to do with wider family problems in relation to CYF. But his mandate does not pertain to these much wider issues. This is the point I am trying to make that many of the reports/reviews are siloed and no one review has encompassed every aspect of the CPS from the very beginning and throughout the system to closure of a case.

You have to look at the CPRP, FGC’s then the Legal Aid system and Court appointed assessment and report writers as well as CYF roles in all of this. You need to understand what processes feed into the Family CourtS/Caught\$ to which a Judge derives at a decision from. Unless you join all the dots you get an incomplete picture.

That’s what I am attempting to do in the hope someone better able and qualified than I will take on that challenge. Someone has to put this stuff out in the hope others will pick up on it and helpfully take it further.

Some CYF staff seems to be living beyond their means and it has been suggested uplifted some Children to order. Then use some of the tactics described throughout this document to ensure the system fully supports their decision. The OCC was made aware of such a case but said they could not look into it. What a surprise - NOT.

Every aspect of New Zealand's CPS was set up and doomed to fail from the beginning which is something that Governments are well practiced at. Then the CPS so-called purported avenues of redress as in the checks and balances are also substandard as well. While this discussion might seem like I am going off on a bit of a tangent, I hope you can see its relevance about who this system work best for and why.

This is why you can't trust Government's to set things up properly.

Governments have a habit of setting things up that can't really do the job properly. If the example of the **Chief Executive's Advisory Panel** is not enough to convince you of that then we have the old Police Complaints Authority. That was established in 1989, people said it would not work and it didn't much like the CEAP. Then that Police Complaints Authority was replaced with the **Independent Police Conduct Authority (IPCA)** in 2007. Even their current Boss Sir David Carruthers admitted they could do better with more power and resources and it was seen as Police looking after Police. *(See the parallel of how CYF looked after CYF -Broad report)*

But there is more we can learn from this like the:

Independent Police Conduct Authority chair Sir David Carruthers wants the police watchdog to have the power to launch its own investigations.

Now this is a feature any new CYF complaints system needs to be able to start their own investigations.

"He was surprised the IPCA didn't already have the powers"

Well, I think that's rather obvious why and evident by the fact the Government even now does not want to change this.

Sir David also acknowledged there was some public perception that the IPCA was "police investigating police" because many of its staff are former police

Now the fact they are former police poses an issue when it comes to investigating their workmates. Some people see that issues when it comes to the CEAP and SWRB as well.

But he was confident the IPCA operated extremely successfully within limited means.

IPCA boss wants power to investigate

Feb 20, 2013

<http://tvnz.co.nz/national-news/ipca-boss-wants-power-investigate-5346501> Link no longer works ®

Or put another way the IPCA did the best it could do with what it got but that's still not good enough to really do their job properly by any means.

So many of the issues Sir David raised about the IPCA can equally apply to the MSD/CYF complaint system as I tried to show via the bolded highlighting. To make similar mistakes once can be considered a mistake but then to continuously repeat

them over and over again anything but.

Even when or if the Government ever has an inquiry into our CPS in its entirety I bet it will not be all encompassing and more to do with smokescreens and mirrors as have happened many times before. Let's take this one example of that to do with Taito Phillip Field often refer to as the "**Ingram inquiry**" that found nothing as it was designed to do from the outset.

Field, former Mangere MP, was **found guilty of 11** of 12 charges of **bribery and corruption** as an MP over having Thai nationals carry out work on his properties in return for immigration assistance between November 2002 and October 2005

Taito Phillip Field found guilty
BY MICHAEL FIELD AND NZPA
Last updated 18:46 04/08/2009

<http://www.stuff.co.nz/national/crime/2717543/Taito-Phillip-Field-found-guilty>

Given the **Ingram inquiry**, cleared Taito really says it all in light of the Courts outcome.

As stated:

"But it appears that had little choice but to live with the **powers given to him** - which were **no greater than any other citizen's**"

Lawyers shoot down Government claim on Field
By Paula Oliver 2:22 AM Friday, Jul 21, 2006

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10392280

In Dr Ingram report he stated amount other issues:

...I have not enjoyed the power to compel the attendance of witnesses before me to give evidence, or to administer oaths in relation to those who I do examine or interview, or to compel the production of documents. Those limited powers are to be contrasted with the powers to administer oaths, to compel attendance, and to compel the production of documents which are enjoyed by Royal Commissions and by Commissions of Inquiry appointed under the Commissions of Inquiry Act 1908.

1.3 Procedure adopted [9]

4 October 2005, page 4.

Source: <http://www.beehive.govt.nz/Documents/Files/Ingram%20Report.pdf>

The Government picked a high flyer to give the inquiry credibility as Dr Ingram QC did but then hogtied his hands. No one dares question Dr Ingram standing and in my view nor should they. However, you can very much criticize his findings through no fault of his own.

My point to this is Governments seem to set things up for their own benefit more than ours. So let's see if what comes next for CYF will be any different. Who wants to take a bet on it? Everything that labour and National have set up in the past has more than had its fair share of shortcomings.

Whether a Government sets up **Commission's** like the **Family's** or **Privacy** let alone the **Human Rights** and State **Services** they just don't cut it.

Let alone **Boards** like the **Social Workers** to just name one of many for which is far too many to list for here. Same with the inquiries or Panels such as the MSD CEO's

one and so on, they all fall short of what they out to be. These kinds of *structures as often called* quasi-autonomous non-governmental organization (QANGO) I think the Privacy Commission should be renamed the secrecy Commission or Privacy c**Ommission**. If you ever have the misfortune of trying to deal with them you will soon find out what I mean.

Even the Ombudsman's office is having problems which result in it being way less effective than it should be.

Underfunding the resourcing the Ombudsman office and...

Rt Hon John Key: I raise a point of order, Mr Speaker. The Leader of the Opposition, as he got to his feet, impugned the reputation of the Ombudsman of New Zealand. I think that is a very serious matter and the member might want to reflect on that.

Mr SPEAKER: I did not hear the remark. If the member made a comment that he thinks is unparliamentary—[*Interruption*] I will hear from the member.

Hon David Cunliffe: Speaking to the point of order, if the Speaker did not hear it, the words I said were "the underfunded Ombudsman". That was going to the point—

As an Ombudsman, he noted that he had a wide jurisdiction but limited powers.

Quoting Anand Satyanand by Beverley Wakem
Achieving Administrative Justice and Procedural Fairness in Ombudsman Investigations
Speech given at the Australian and New Zealand Ombudsman Association (ANZOA)
Inaugural Conference MELBOURNE, 22 – 23 APRIL 2008

The Ombudsman simply does not have the resources at its disposal to adequately investigate all of the complaints. By the time those complaints are investigated, months if not years may have gone by, and there is simply no scope for justice to be done.

Offices of Parliament — Address to Governor-General
[Sitting date: 30 April 2015. Volume:704;Page:3075.]

http://www.parliament.nz/en-nz/pb/debates/debates/51HansD_20150430_00000012/offices-of-parliament-%E2%80%94-address-to-governor-general

So here we see many years later the Government of the day via Parliament starving the Ombudsman of resources. Why might you ask? If Government departments like the MSD/CYF are found to be in error by the Ombudsman this could reflect badly on that departments Minister, therefore, Government of that day as well.

Let us not forget what the Prime Minister John Key said about the Human Rights Commissions work and role:

But Prime Minister John Key has hit back, **saying the commission's report is a poor piece of work that was submitted late, and it needed to do better if it was to continue to receive taxpayer funding.**

Human Rights Commission: GCSB bill 'inadequate'
3:20 PM Friday, Jul 12, 2013

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10897315

So is someone is seen to be doing their job in the public interest in a way that might create issues for the Government their funding might be on the line. Note the Prime Minister said, "taxpayer" they are paid by and it's meant to be them they are serving rather than the Government. Even since then the Human Rights Commission has in my view cowered in the corner. They are more than ever a lapdog for the Government rather than watchdog for the public.

Many of the things Governments have set up under the guise of being for the public good is anything but. Even the Official Information Act (OIA) is an example of that as shown here:

Prime Minister John Key has admitted the Government sometimes delays releasing official information right up to the deadline if it is in its best interest to do so.

PM admits Govt uses delaying tactics
Updated at 5:42 am on 16 October 2014

<http://www.radionz.co.nz/news/political/257009/pm-admits-govt-uses-delaying-tactics>

Let alone if you get an IOA request how much of it is redacted (blanked out or withheld) as the MSD/CYF often do.

In order to help resolve one issue, there was the **Ombudsmen (Cost Recovery) Amendment Bill** put before Parliament. . The idea being the Ombudsmen can charge Government agencies for the costs of OIA investigation. After all the Government agencies can charge the seeker of OIA requests for the costs of supplying that information This bill was defeated as you can see here:

Ombudsmen Bill Fails

by EDITOR on WEDNESDAY, SEPTEMBER 19, 2012 — 8:35

<http://parliamenttoday.co.nz/2012/09/ombudsmen-bill-fails/>

You see they put exorbitant cost recovery prices on things as another means of trying to hinder people from getting their hands on the information being sought. I bet if the Ombudsmen started to charge Government agencies they would clean their act up rather quickly and stop playing the delaying games.

My point to this is see how the Government sets things up that more helps them more than anyone else overall. Information and knowledge can be a powerful thing. So when they get to again restructure CYF, the IPCA or revamp the SWRB keep all this in mind and you might see how they set them up to under deliver or underperform therefore they benefit from them more than you.

The one area where I believe the MSD/CYF has stuffed-up and very vulnerable is around their standards of integrity and not adhering to the **Principles of Natural Justice**. Rather than go to Court over any one case a judicial review about the processes being flawed might be a better way to go then trying to sue CYF. If this book raises enough money via donations I set about doing this myself in due course.

I just want to be clear, this next area is not legal advice at all and nor should it be taken as such. I just wanted to have a cursory glance at this topic in the hope you will realise how powerful this concept is and follow it up for yourself.

Overall there is one major aspect that Howard Broad did not cover in his report per se. That's the aspect of the **Principles of Natural Justice** not being fully adhered to. I believe what his report shows are how biased the entire CYF complaint system is. Bias can come in a few different forms, **exhibits imputed, actual bias** or **apparent bias**.

So I am claiming that the CYF complaint system suffers from "**Unfairness / Procedural Propriety**" relating to the process by which the decision has been reached. My understanding is an aspect of fairness is the requirement to **avoid bias**, including **the appearance of bias**. Predetermination can also indicate bias from how I understand things to date. If something is biased it is therefore in breach of the Natural Justice.

What is Natural Justice, you might ask?

The words "natural justice" has specific meaning in the law. Natural justice comprises two rules the rule against bias and the rule of the right to a fair hearing. Because of the necessity of maintaining public confidence in the legal system - which includes not only the courts but all public decision-making bodies, it is most important that people who are engaged in these processes feel that they have had a fair hearing and that there has been no bias.

Actual bias is where it can be established that the person making a decision was prejudiced for or against a party. If the decision maker had a monetary, proprietary or personal interest in the matter then bias **may be imputed**. **Apparent bias** is when the conduct or behaviour of the decision maker suggests that their decisions are not impartial.

13/04/2012 | Posted by Peter Smith

Source: <http://www.smithpartners.co.nz/library/articles/litigation/what-is-natural-justice/>

So what you might think well let's look at the **Chief Executive's Advisory Panel (CEAP) Terms of reference** also stated:

Principles of natural justice:

12 The principles of natural justice require absence of bias, and the opportunity to be heard. These principles apply to every stage of the complaints process, not just to the review panel... "

Child, Youth and Family Complaints Review Panel Terms of Ref – Final 13 March 2008: Page 4.

So when you read the Board review I see all the forms of bias on display.

If you find this all a bit too hard to grasp you might ask what is the simpler test one uses to see if a claim of bias could be reached?

Here is the plainest example I can find to date:

The test has been variously expressed by Australasian courts over the years - but in New Zealand it was recently held to be:

- **Whether the reasonable observer**
- **Aware of all the circumstances of the case**
- **Would think that the impartiality of the decision-maker**
- **Might be or might have been affected.**

Beverley Wakem, (page 7)

Speech given at the Australian and New Zealand Ombudsman Association (ANZOA) Inaugural Conference
MELBOURNE, 22 – 23 APRIL 2008

This topic of Natural justice and bias can take a while to get your head around it. You will find this comes under the **New Zealand Bill of Rights Act (NZBORA) 1990 Section 27 “Right to justice”** It is very clear from the Howard Broad review dated June 2013 that the CYF complaints system does not comply with this. Read the first two Chapters I wrote about the CYF complaints system and see if you can spot the forms of bias using the Dame Beverley Wakem test for yourself.

In order to help illustrate this point about bias from another angle, I want you to think about this.

Judges are not allowed to preside over cases to do with their own family or friends or business partners. They would have to declare a conflict of interest and be recused from the case. That's to alleviate any potential or bias for or against one party or another. It's the same reason why there is separation for example between the Police and Courts. It's not that we don't distrust the Police but if they were a prosecutor, judge and jury people might have a problem with that. That's why you can be tried by a jury of your peers rather than a judge alone for justice to be seen to be done except in the family court. People need to remember in the Family Court you are not at all innocent until proven guilty but rather judged on the balance of probability would be the best way I could think of to describe it.

Put another way if there was a forum held to debate the origins of life. But the people selected were Anglicans, Catholics and Baptist you could say that gives it a creation bent. Now these people might be experts in their fields and of the utmost integrity. To the best of their abilities as much as they might say they will put their own beliefs aside and look at it objectively as best they can is that assurance good enough and should we even really put that on them.

However, if that had an equal number of sceptics, agnostics or alike from none religious backgrounds that might give the forum more credibility! I want to say I have found Dr John Angus to be both a scholar and a gentleman which is why this section pains me as it's about him and I in no way want to suggest any deliberate wrongdoing on his behalf. However, even unintentionally I have been done wrong by him I believe.

On the MSD profile page for the Panel members it states:

MSD's Chief Executive's Advocacy Panel member:
Spot the profile differences:

John Angus - Panel Chair

Dr Angus is a former front-line social worker, and was a senior public servant leading policy work on child support, the care and protection of children and support for vulnerable families. He worked on the review of the Children, Young Persons, and their Families Act 1989, played a leading role in the development of several family support initiatives such as Family Start and SKIP, and from early **2008 to April 2009** headed up work on the prevention of child abuse and neglect for the Taskforce for Action on Violence Within Families. In **April 2009** Dr Angus was appointed Children's Commissioner for six months while a permanent appointment was made.

Source: <https://www.msd.govt.nz/about-msd-and-our-work/contact-us/complaints/ce-review-cyf-complaints.html>

Now let's see what's not mentioned in the above profile but is on those that follow:

Dr John Angus, MNZM, Cromwell.

For services to the State. Dr John Angus was Children's Commissioner from 2009 to 2011. He has worked in the public sector since **1977**, firstly as a social worker for the **Department of Social Welfare**, and later becoming Principal Advisor in the **Ministry of Social Development** from **2001 to 2006**. He led interdepartmental work on preventing child abuse for the Taskforce on Action on Violence within Families. In **2003 and 2004** he was part of the Ministerial Taskforce on the Community and Voluntary Sector. He was involved in writing the **Green Paper for Vulnerable Children**. He is a member of the **Child, Youth and Family Complaints Panel**.

Source: <http://gg.govt.nz/content/dr-john-angus-mnzm-cromwell>

It looks to me like the MSD went out of its way to hide or not declare the fact Dr John worked for them as they avoided to mention this more clearly on his MSD profile.

I am not saying Dr John would even be aware or had any input into these profiles and I suspect not. Here is another one I found that mentioned his time at the MSD I believe:

John Angus

...After being a **social worker in Dunedin from 1977 to 1986** and subsequently a **social policy advisor in Wellington for 20 years**, he became New Zealand's Children's Commissioner from April 2009 to June 2011.

Source: <http://acart.health.govt.nz/about-us/committee-members>

I also want to point out when Dr John was the **Children's Commissioner** I raised concerns about the CEAP and CYF complaints system for which he did not seem to have any issues with it. He seemed happy with the CEAP when I raised my concerns about it pointing out as their name suggested they were the "**Chief Executive's**" personal Advisory Panel rather than an "independent Advisory Panel" he still did not seem to take issue with that. Then ironically ended up on the CEAP himself.

I also have to pass a comment on this as mentioned in the Howard Broad report:

The members of the panel are independent of MSD. One said to me that they **would be most indignant if they or the panel were described in any other way.** They have assured me that they have had no direction or interference from the Ministry and all of the recommendations that they have made to the Chief Executive have been accepted. I accept these points, but there is more to independence than that.

Page 78

There are two issues with that statement and it points to why sometimes people in the midst of things can't see the woods for the trees. The CEAP is not at all independent and the fact they can't see that makes me question their overall judgment and who they are really there to help. Even Howard Broad points out that they are not at all even close to being considered truly independent in page 80 of his report.

Also, the MSD has indirectly shown interference over the CEAP via the restrictive terms of reference, narrowing of complaints. Not handing over all the information or making key staff accessible let alone the under-resourcing and the list could go on. That all has a profound impact on the case from the very outset, however, well-disguised it is. I can also prove that CYF had in fact influenced the chairperson to put things in their final report after a CEAP hearing in two cases. Just because other Panel members don't know about that does not mean it doesn't happen.

If Howard Broad was allowed to look at cases that had been through the CEAP processes I am sure that claim would have been disproven.

I was the first person ever to go before the CEAP in 2009. I was also the first person to go before them twice as again happened in 2012. The reason why I got to shots at it was because CYF failed to honour the 2009 recommendations which they also did again with the 2012 ones as well. **I have been denied a third CEAP hearing in 2014 and 2015 (asked twice)** by MSD CEO Brendan Boyle, more likely because it will again come out in our favour.

Just as a side note to all of this:

The reason why there has been a hold up at trying to take the judicial review is, first of all, the lack of money or anyone skilled enough to help out on a voluntary basis to get it done. The other reason is since the Howard Board review was completed in June 2013 the Minister has not said if they accept it or not. Instead, the expert Panel is considering it as part of their review. Someone who has given me advise on such matter said it best we wait until what they say about it first. Not that if they reject the Hoard Broad report that in any way weakens our case. In fact, what it could show is a bias in itself. Once that Export Panel reports back in December 2015 it will be all on for us next year...

However, there are remaining issues that could not be addressed in my own case or by the Board review because it involved individual staff behaviour and tactics which come under employment type issues.

I have supported people in person before the CEAP I also worked behind the scenes and with others who have been left disappointed by the follow-through and fact some

staff got away with crocodile tears and laughing at the complainants knowing they got off the hook. Those same staff then went on to be the subject of many more complaints, making people question what's the point of it the CEAP, if the same staff keeping on doing as they have always done and getting away with it.

A lot of support groups and advocates don't know the pitfalls or what they are up against as I described throughout this document. While it might seem like an impossible task I say never give up trying as I have seen people win in overwhelming odds. You need to understand how the system works so you have a greater chance against it.

Here is my advice as far as for to whose benefit an oversight is put in place for really. I am taking about things like Commissions, Boards etc. Who gets appointed to them, the resourcing and rules they must follow can underline their purpose as more often than not happens. We need a coherent CPS that not

That's why I seek system-wide changes because to do that will help the masses and, therefore, many more individual cases

This will spread the benefits wider rather than it being one hit wonders when we beat all the odds against us.

Other groups and advocates need to see the wider context. Our CPS needs a fairer complaints system in real-time rather than lagging miles behind issues and long after the facts.

So the purported avenues of redress as in the so-called checks and balances that some claim to be there but really aren't, need to start functioning properly at every stage of the CPS process.

For example, the Family Court giving better oversight than they currently do and their clients being able to get Legal Aid plus a competent lawyer who will not do backyard deals behind the scenes.

Get rid of Family Court appointed/approved report and assessment writers and open it to anyone duly qualified and registered and experienced to do such reports as happens in any of the other Courts already.

That's so if they disagree with CYF they then can't threaten to get them taken off the Family Court approved list.

Dump section 444 bad faith clause of the CYPFA 1989, as it's being misused in my view to get away with far too much wrongdoing.

I would like to see the Family Court opened up in ways that have happened overseas but would still protect the vulnerable person's privacy. That can be done in any number of ways.

How about the Social Workers Registration Board becoming more user-friendly and less complicated. The Office of the Children's Commissioner (OCC) needs more money and real powers to be able to do their job properly as originally intended.

Whenever the Government of the day sets up anything that's new let's watch for the pitfalls and loopholes as in their terms of reference being limiting or biased.

Oversights often suffer from a lack of resourcing which does dramatically affect their ability to work effectively as intended.

Look out for the old boys network so that whoever gets appointed to any oversight role are not just head noddors and seat warmers who are nothing more than puppets or lackeys buying their time in a prestigious role, using it as a stepping stone before they move onto the next high profile gig.

Or to put it another way, some of those chosen to head certain oversights can be appointed for no other reason than nepotism and cronyism and being a safe pair of hands. Those kinds of appointees will not want to bite the hand that feeds them nor will they in order to say in favor for another possible position elsewhere when the time comes.

I would like to see the Families Commission revitalized. It has been totally gutted and neutered to the point that it exists only in name, rather than purpose. Then families might finally have a real voice within the CPS for once.

No matter what, as far as oversight or checks and balances, they must observe in practice the principles of natural justice rather than just refer to them and they not be followed. As so often seems to be the case these days

I would like to see the Children's Commissioner, Ombudsman's and Social Worker Registration Board all work together where possible. So when someone complains about a Social Worker at CYF they don't then have to deal with three separate places over the same complaints. Often one holds the other up like the Ombudsman's waiting for the SWRB to finish before they start their investigation. They are all far too siloed in my view.

Therein ends the main two chapters and I hope have spelled out the problems to spite my poor literacy skills.

In the words of Ronald Reagan

"Government is not the solution to our problem; government is the problem"

Delivered in Washington, D.C., January 20, 1981

Chapters One and Two let alone the **Conclusion from page 280 to 288**, will clearly show you how true that has been when it comes to New Zealand CPS. They set the CPS framework up, legislate and fund it. They also put in place the so called checks and balances and purported avenues of redress. The fact things have got this bad and out of control show how out of touch Ministers have become. They have lost sight of what the departments are doing and how far from their original intention they have strayed. If you doubt this read the next chapter as it has even more examples.

Chapter Three

The ways CYF see and do things then other factors that come into play.

The one philosophical question everyone keeps asking me is why I think Child, Youth and Family (CYF) sometimes get things so wrong or stray from their original purpose. If you go onto read Chapter Four and Eight they will give a lot more specific examples of what I am meaning by that.

To me this Chapter three seems more like a collective mismatch as there are so many different facets that might or not apply with no real definitive answers. I am also going way out on a limb into trying to explain things some people say I shouldn't try to for that reason.

While Chapter One and Two of this book explains how things go wrong as far as systematic failings that in itself does not explain why. By that, I mean why someone from within CYF doesn't say that's not right when things go wrong and we need to own this. Like in the story with the emperor with no clothes the issue is obvious for all to see but the crowd go with the flow like lemmings, rather than speak up and expose the truth. I will explain why to refer to that story later on.

Some CYF staff have no reverse gear to back out from places they should never have gone when that's realised. I have already shown via Chapter's One and Two, why some CYF staff seems to get away with a lot and almost become uncontrollable or unstoppable if they don't want to see reason or the error of their ways. To me many of the issues I see simply come down to a lack of self-awareness and personal issues that affect some Social Workers so called professional judgment calls.

I have dealt with some CYF Social Workers who just become more entrenched in their bad practices. Worst of all they don't at all seem to learn from their mistakes to spite the fact even their own Ministry of Social Development's, Chief Executive's Advisory Panel found them to be in error on many occasions across a number of cases.

There seems to be the same few Social Workers and middle management within CYF that keep coming to my attention that become another part of the family's problem and none of the solution for them yet they get away with it more often than not.

Some of the same Social Workers that come to my attention I have observed them showing transference and countertransference and bringing their own issues into the job. More often than not that's where I see many of the cases I get called into help with started going horribly wrong. Something gets triggered for the Social Worker and from that point things start going in a downward spiral for all involved.

In the same way, I hope you can see that employing a struggling recovering former alcoholic to work in a pub might not be the best idea. Same too with some CYF staff who have had abusive backgrounds if that's likely to impact on clients or the organisation.

I feel nothing but sympathy for the employees having suffered from having lived with or through abuse in their personal life, and then coming to work and having clients' situations and circumstances trigger off stuff for them.

But when that experience clouds their judgment and client suffers because of it is a problem when they then destroy families as a result of this happening. I have seen the profound effect and devastation people like this can create for all. They are as dangerous as a ticking time bomb.

It does seem ironic that during the interview processes these people slip through the gaps and seem to have a higher chance of getting employed over someone who hasn't had that kind of personal experience. There has been as often mentioned a school of thought that unless you have suffered abuse you can't that easily identify it. To that I say you don't have to have had a broken leg to know it hurts or a heart attack before you can qualify to be a heart surgeon.

I am however delighted to see CYF have wised up to this issue as on some of their application forms they asked this exact question as copied from one:

Frontline Staff (e.g.: Contact Centre Staff, Social Workers, Social Work Resource Assistants, Residential Staff)
--

You will be dealing with the experiences of children in relation to physical, emotional and sexual abuse and neglect. If you have had similar experiences in your life you may wish to discuss the impact of dealing with such situations with a personal support person or professional prior to applying.

I am told this happen as a result of my constructive criticism as I often raised this as an issue whenever I could. It took CYF until around 2012 however to include it.

I am not at all saying if someone has suffered abuse in their past they should be automatically disqualified from working in this area and nor is that my point.

A Social Worker with a horrific past said to me *[might not apply to everyone in this position]* they went from being a victim to survivor then from survivor to victor by laying those demons as they call them to rest. At first they did try to be a rescuer/saviour as they did not want people to go through what they did but now admit that's when it all turned to crap for them and everyone and thing they touched in this area.

I have seen many Youth Workers also make this same mistake as they get into that line of work to help/save others when they are in no position to even help themselves let alone try to anyone else. Yet they can't see the damage they cause in their wake. They do for sure help some but overall do more harm than good from where and how I see things ending up.

After recognising their own manifestations, I have seen some really damaged Social Workers address their issues and they have since turned their past experiences into good for all who come across their path. If you hate a certain gender or ethnicity no matter how much they might try and bury this it does eventually manifest itself from what I have seen in certain circumstances.

People with a bad past can in the right circumstances be most helpful in ways that others who have not had this happen can't be. I personally know some CYF staff that

has had some horrific backgrounds and they don't at all bring that into their work in a negative way but rather use this past to pick up on things others that have not been through it might miss. They are more sensitive and attuned to a wider aspect of abuse symptoms but not to the point of paranoia. They are very objective people considering and because of their past. But like us all not infallible...

However when the opposite happens I have to question why CYF so-called supervision sessions with their staff have not picked up on this in cases I know about from observing them from the outside as I do. I mean if I can see it why can't or don't they then do something about it. I am told employment law is one reason and barrier.

I have to question how good or even if CYF monitor their staff cases and how often they get feedback from the most important group and from the clients perspective to check they are keeping their own issues out of it.

The fact the MSD/CYF complaint system and purported checks and balances don't work as highlighted in the first two chapters does not help pick up on this either.

The other side of the coin is some have been in the job for so long as the saying goes "if you are a hammer everything looks like a nail"

Or put another way: "**Déformation professionnelle**" is a **French phrase**, meaning a tendency to look at things from the point of view of one's own profession rather than from a broader perspective. It is often translated as "professional deformation" or "job conditioning". The implication is that professional training, and its related **socialization**, often **results in a distortion of the way one views the world**.

Source: http://en.wikipedia.org/wiki/D%C3%A9formation_professionnelle

As another example you could if you so wish refer to the magazine "New Scientist" 5th January 2013 page 37 right hand column second to last paragraph in this column; where Nils Bohr [father of quantum mechanics] is quoted as saying " **look for a particle and you will see a particle, look for a wave and you will see a wave**".[sept 1927].

Nils was referring to the wave/particle duality of light, but I could adapt the saying by misquoting and writing "Look for child abuse and you will find it, look for the honest endeavour and you will find that as well".

Einstein contradicted Bohr and said, "No reasonable definition of reality could be expected to permit this". Much though I admire Einstein I tend to favour Bohr's logic in regard to the twist I put in it to try and explain the paradigm between what it is or isn't might or not be good or bad parents posing a risk to children.

Most people would agree I am no pushover and given how some of the CYF staff treated me to my face should be a worrying sign for all. If you go on to read the next chapter you will better understand what I am talking about here.

What happens to people less able or willing than I to stand up to them? If you ask questions of CYF that then raises their hackles and some staff sees that as a

challenge. We are after all only human and can distort things. I hope this next picture illustrates this point better than I think I can explain it:



Negative

Positive.

Sometimes things are not always as black and white as we might first think they might be. Was this mum going to slap the child or are they playing peekaboo. You might think that's a crazy example, but I can assure you this kind of scenario has happened with dire consequences for all because of some CYF staff overreaction and distorted perspective. Then when you try and point this out they come gunning for you even more.

I asked a CYF worker to describe what a good parent is, and they couldn't. I have witnesses to this who will attest to it having happened. I then asked them to describe some of the things they look for to determine what kind of parent put a child at a higher risk as they see it. Gosh did they rattle off a humongous list. They cast the net so wide that the bycatch would be horrific which Dr Scott in chapter one warned against. The point of mentioning that is to show how CYF are more open to the negative than the positive and that's the main reason why I think they are hard to work with and while some of their staffs mindset seems impossible to change. When I have questioned some CYF staff along these lines about their reasoning they see that like a red rag to a bull. It's like pouring salt into an open and festering wound as their bad reaction that follows showed. Some staff then accused me of taking things too personally, cut access out of spite and went even harder on myself and the families I was trying to help.

Another one of the biggest problems I have seen was the humanness of this all. Or put this way:

A Policeman told me there are **three** sides to every story.

One: What I say happened.

Two: What you say happen.

Three: What really happened!

When they interviewed people who seen the same incident their version of events and perspective can be so very different. Even to the point it's hard to believe they witnessed the same things. Therein is the problem it's not that anyone is necessarily being dishonest but rather more about how they process and interpret things and as a result of that their personal perspective about what took place can be so different because of that.

If you put these three people in a room together things can get heated as their recollections differ from the other two or even each other. In frustration, one person

accuses the other of lying, or asked if they are on something and from then on the conversation denigrates for all involved. I have seen this happen in CYF cases where facts are in dispute or people at odds with each other over what might or not have actually happened. Or what they think might happen based on how they read the situation. Sometimes many things are not as black and white as we first think or see them. It takes a lot of skills to try and defuse these kinds of situation and find a way forward if that's even possible.

Another example of differing perspective is if you have ever been at a meeting that's being transcribed where everyone has to agree on the written account being signed afterwards.

I have seen totally neutral transcribers get it in the neck from all sides... That's 'why many transcribers also audio record such meetings as well and I am in favour of that. Sometimes what we say and mean comes across differently than we intended and when people convey that back to us this becomes their fault, not ours!. I have seen staff and clients be unhappy about this equally and ask for a different transcriber and still end up with the same kinds of problems regardless. My point to this is many clients of CYF say their staff only see what they want to and make the rest up as they go along. I have caught some staff blatantly lying without a doubt. However most of the time I can say issues arise out of misinterpretation or internalising things but still with honest intent regardless. Some staff needs to learn how to calm clients down rather than wind them up or end up that way themselves. Being at loggerheads with clients helps no one and CYF is meant to be the professionals in all of this.

As another depiction of what I am trying to convey let's say there was a teenager at high school in a classroom that was observed painting/drawing in black during art class in which the teacher was worried that what they were doing expressed patterns of abuse through his artwork... So the Art teacher called the guidance counsellor who viewed the work in progress and agreed that clearly expressed troubling images, therefore, possible underlying issues. So they called the Social Worker.

The Social Worker agreed and pointed out the fact everything was in black shows a past traumatic event that left a dark imprint on their psyche so called in a psychologist to observe... The psychologist agreed especially as the class was given the directive the inspiration of the work had to be base around their own experiences of family life good or bad.... The Teacher, guidance counsellor and Social Worker along with the psychologist all agreed given their interpretation of this artwork they needed to interview the teen as they literally had it in black and white. But just as they were about to do this the cleaner who just walked into the room asked the teen "why are you just using black "rather than colours... The answer was it's the only colour left so I don't have a choice.

I want to keep coming back to the point not everything is as it seems and we can all have distorted views and perspective like the picture coming up below: Some CYF staff a way to quick to jump to the wrong conclusions as most people do when they first see the next photo.



Yes, that is Justin Bieber and the actual photo in my original submission upload to parliament's webpage.

Now that's a bad camera angle and his hand is in fact nowhere near as close as it looks but anyone who seen that without realising it's an optical illusion could think otherwise and the worst..... Now I pointed that out let's see if you view it differently if you did not see it that way upon the first glance. Interestingly my photography friends pick that up straight away and none of them fooled by it as they have experienced this kind of thing before.

My point is there are many ways one can interpret things and I have shown this photo to many people and 75% thought it looked suspect until I pointed the camera angle out. Only then did they see the real picture for what it is. You might think that sounds like a total contradiction of what I was saying before, but it isn't. I am talking about working in harmony having experience and knowledge with common sense and feeding off that all in order to arrive at the best possible conclusion. I have seen some of the new Social Worker recruits make some fantastic calls that the longer serving ones missed. I have also seen new recruits heading for trouble and needing to be pulled back by those who are far more experienced than themselves.

Here is another true story *[not verbatim]* to do with me. I was outside the barbershops across the road from the Grey high school. A school girl comes running across the road to talk to me in whom I got greeted with a big bear hug. It just happens to be a Social Worker was at the school and seen this. They decided to interview this girl because it was me. The line of questioning went something like this as she could best recall it:

Does Graeme have you on his Facebook page?

Answer: yes

Has he got your mobile number?

Answer: yes

Are you and him alone at times?

Answer: yes

How about gifts does he give you any?

Answer: yes

Does he say he loves you?

Answer: always

Well, I had better report this as it sounds very much like grooming to me.

The teenager said, *"the one thing you have not asked me is why he does these things."*

The CYF worker said, *“Well I think based on my experience that’s obvious.”*

The teenager said, *“Because he is my cousin bitch and I don’t like what you are implying...”* Now the point in mentioning this is because that Social Worker had an unpleasant past at the hands of some males I believe. They told another Social Worker on their watch no male was going to get away with anything and whenever possible nip things in the bud before they could get a chance to happen. Be proactive rather than reactive like on the film **minority report**.

I know of a CYF Social Worker that did not believe children should be subjected to poverty because of their parents’ choices as they seen it. So they looked down on the working poor or beneficiaries or anyone on low incomes that has kids.

They tended to favour children being removed from such circumstances more often than not. They had the same attitude as shown in the concept of the Victorian times with the “deserving or undeserving poor”... If you don’t know what I am talking about see this <http://www.experiencewoodhorn.com/part-2-deserving-or-undeserving-poor/>

They also believe if a scan of a baby shows it’s abnormal they should be aborted to save them from being born and becoming a burden and drain on society.

I am not trying to take on a pro-life or woman’s rights to get an abortion debate but rather pointing out the fact they don’t view all people as equal if they are different in any way. Many Social workers don’t at all see me as their equal and shudder and cringe at the idea given my disability.

This kind of thinking about breeding or lineage seems more in line with the Aryan race (Master race) concept of Adolf Hitler SS than anything else from how I understand it.

Like in any occupation, there are some bitter and twisted people and that has an impact on their professional judgment. I have seen few Social Workers who I can say for sure deliberately go out of their way to make or cause trouble. When this happens it’s often inadvertently for some of the reasons I have tried to explain throughout this chapter. However, that’s no excuse and cold comfort for those who suffer at the end of it all. On another side of this all as I mentioned before some Social Workers who fall into this trap can simply be facing their own demons while trying to deal with clients rather than being of malicious intent. I have seen so much more harm done by those who seek to rescue and save others rather than from malicious intent.

The humanness of the Social Workers is what makes Social Work good or bad and why there’s never one simple answer for this all. So if you find yourself at the mercy of a Social Worker think about these things before you go at loggerheads with them for your own good and theirs as this is a two-way street. Many times the clients have had to take the higher ground and tip-toe around the Social workers sensitivities in the hope of catching a break from them.

Another side to this can’t be ignored and that’s I have seen some really good Social Workers chewed up and spat out the other side by some cunning and manipulative clients.

I have seen some Social workers take risks with people and been severely burnt to the point they lose hope in humanity. As one said to me I tried to help them and it come back to bite me in the ass, well and truly. Never again will I take that kind of

risk for anyone. From that point on every family, they dealt with did not get cut any slack. This Social worker became harder to deal with and seek any form of compromise from.

Sometimes CYF staff only see what they want to see or because they have been doing it for too long. In that respect CS **Lewis** said this:

"I found that after writing "The Screwtape letters" and spending so long thinking about how a devil would think, I was mentally and spiritually exhausted. I needed a break to spiritually refresh myself and gather strength so that I could continue my study into evil and how it works".

If someone like CS Lewis can let stuff like that get to him then how much more so the rest of us especially when you see it 40 hours a week with little chance of escaping it because that's your job. You see the reason why I helped out voluntarily with Christian based activities is generally they were less worldly, more positive and it took me away from the doom and gloom of the daily work that could so easily get on top of you and wear you down. Had I not done this I would have lost the plot long ago and not been at the point I am today 15 years on. There is a lesson in that!

Another factor is I think CYF the organisation has become its own worst enemy, by the way, it treats some of its staff with workloads, it can be a thankless job. I think this point has been proven by the case workload review they undertook. They clearly piled the work onto their staff without any consideration for their wellbeing. People under extreme pressure are more inclined to make mistakes which I have seen happen way too often as a result of that.

That actually shows how badly organised they are. If they can't manage their staff's caseloads they sure as hell are not able to monitor their outcomes either.

If you read the First official conclusion on **page 280** you will see the net result of this all has been proven. CYF really have stuffed it up for everyone over the past 28 years.

However, I don't think the reasons I have offered should be seen as excuses when cases go wrong. I do have some sympathy for the staff which is more than I think many of them have shown me or some of their clients over the years.

My point in saying this is rather than both sides going for it hammer and tongs I try to get them to see if from a different perspective if possible. I have known families to be in denial as much as some Social Workers can be at times.

Think of the CYPF Act like the bible. In respect of how many people and groups can take totally different things from it? Although the Catholic bible has a few extra books the ones that a line with the Baptists and Anglicans they still interpret differently. How right or wrong is anyone's guess but each will say they are right and the others aren't. That's why there are different denominations because they don't agree to start with.

People have asked me about what's the **incentive or motivation** for not putting things right if it's known they were wrong that is. In this last section, I will cover some of the issues I have seen that contribute towards this happening.

Office politics and hierarchical structures can also add to the mix. I know Social workers that got hired based on friendship over than being the right person for the job. That's one way as the phrase suggests of shoring up support so you got options so as to sure up things if needed and they go wrong. Good friends, who become peers are more likely to have your back some might suggest over someone who owes you no personal but rather more professional loyalties I would think? I have seen this more likely to happen in smaller provinces like Greymouth.

The one question I had throughout my social work training was this:
Are we agents for change or agents of control and in a de facto relationship therefore by default working for and being trained by the Government regardless?

I see the Social Work profession as being more controlled by the Government than anything via entrapment. When you leave often with a student loan you are going to want to make that qualification work for you in order to pay it off as quickly as you can. I know Social Workers that have turned a blind eye because they need to keep their job, therefore, pay off the debt hanging over them.

Also those who control the funding and pay the piper to get the tune they want. If you upset the MSD they can make it very hard if not impossible for you to get employment in the social Work field. There will be repercussions as this book and the Howard Broad review both highlights; Whistle-blowers have far too much to lose than they could ever gain by doing so from how I see things currently. After all if the track record speaks for itself how many Whistleblowers have come forward to speak out within the MSD/CYF file and ranks? They dare not or else.

Going right back to entry level and by that I mean getting onto a course in order to become qualified I see issues arise. The selection process themselves rules people in or out. As I will talk more about in Chapter Six who the tutors pick and based on what criteria is where it will begin or end for you if not selected. Some of the people making it onto these courses are great no doubt about it. But as one tutor said at the end of the day it's about bums on seats and if they are unlikely to pass and come out of it into a job that does not look good for them and consequences follow. So they have turned down people who might be great Social Workers in favour of ones more academic and without a doubt could pass everything in their sleep.

Most Social Worker courses are four years and comprise of two or three placements so you get to meet a lot of people which can help or hinder you along the way.

I have known a few Social Work students to witness some really dodgy stuff while on placement in which they were told if they want to pass the course keep your mouth shut. That's because without practicum you can't pass the course. I know of an educational provider that was told if your students become a problem for us we will not accept them on placements anymore. These organisations that take on your students are doing the educational provider more of a favour than themselves. So this poses a real ethical dilemma because if your students expose issues that could

be equal to biting the hand that feeds you and them in return. Educational providers need as many placements as students it's that simple. I know a student that rightly potted a Social worker to their supervisors and they paid the price for that as well as the employee they were placed under. So right from the very beginning the undercurrents are there. But if the student toes the line, gets the boxes ticked on you practicum and passes the assessment you are home and hosed.

I had people tell me Social Workers have outright lied and seen that myself. But more often than not the real issues come down to human error rather than outright dishonesty.

The problem is very few CYF staff if they get it wrong will own that because it could be seen as the client then getting the upper hand or used as a complaint against them.

So many of the cases I get dragged into are these kinds of issues. I have had Social workers admit they could possibly be in error, but their supervisor or managers does not see it that way so nothing changes. More so if the case has already been through the family court as decisions have already been made even if wrongly. The Hoard Broad review of the CYF complaints system (July 2013) pointed that out as being a problem as well. They then wonder why clients become harder to work with. I mean who likes being cheated of anything let alone you only irreplaceable children. When these kinds of things happen, clients get very pissed off and let's face it who would really blame them for that under those circumstances. When people are cast into that role, of course, they get angry, then that can be used against them by saying they are agitated and aggressive or uncooperative or deemed mentally unstable, etc. So from then on things only get so much worse for them and everyone involved

In a way, CYF has given all Social Workers a bad rap because in some cases the odd one is not worthy to be given that title. There is a point of contention with them being called Social Workers for this reason.

My worst dealings have been with Social Workers that are both qualified and registered which is why when I hear people going on about both like this is the panacea I don't see it that way at all. Don't get me wrong I am in favour of everyone working for CYF that undertake Social work being both qualified and registered but these two processes need to be revamped. They work better for the professional at the end of the day than the clients. Another dimension to this all is sometimes the Law and Family Court processes end up going in the opposite direction to where the Social Worker would like to take things. At times, the law and CYF policy can seem incongruent with each other.

In my view, the legal process is not always the best way to resolve family issues.

Adding to all of this going to the Social Worker Registration Board (SWRB) can be like complaining to the mother in law about the wife... The Aotearoa New Zealand Association of Social Workers (ANZASW) is no better in my view at times. In fact given how many CYF staff they have as their members some could say that gives them an advantage and ability by stealth to take them over.

One of the people I have my worst dealings with ended up rather high within the ANZASW which really says it all.

The sad thing is the reason why the Social Work profession has ended up in this predicament is not because of the odd bad one. Rather because the good ones do nothing. In most cases, I work on there have been some really good people but that has not resulted in them speaking out when wrongdoing is done.

As an end note as per my usual style, I think as well as highlighting the problems one should also seek a better understanding and from this will hopefully flow possible solutions. There is a range of books that go beyond my level of understanding but from what I tell provide great insights like the Lucifer Effect by Dr Philip Zimbardo.

In this book, he uses the analogy of bad apples (individuals), bad barrels (situations) and bad barrel makers (systems). All too often when we are analyzing problems in which bad situations occur, our bias can be to focus on the belief that the bad situations were committed by the “bad apples,” ignoring the barrels and barrel makers. I have seen bad apples (individuals), removed and problems remain or can even get worse when someone new comes along. That’s because it can also be a bad situation and systems they are working within as well.

Then when the policies and procedures change for best practice sake even worse things happen as the bad barrel makers (systems). bureaucrats get more involved and add to rather than addressed the situations they created at a systemic level.

Another good book is **Human error: models and management**. James Reason and as well as **Unmasking Administrative Evil** by Guy B. Adams, and of course, **Street-Level Bureaucracy** “Dilemmas of the Individual in Public Services” by Michael Lipsky.

People with a far greater understanding than I and degrees in this area suggested people consider looking at Margaret Heffernan’s book in the area of **Wilful Blindness:** “Why We Ignore the Obvious at Our Peril”. I am told it's a good read and she has also done a TED video session on this topic as well. I have often wondered why some good people turn a blind eye to things most of us know to be wrong. After I wrote this Chapter three I come across something I think helps tie this all in better that fits well with Dr Philip Zimbardo, Margaret Heffernan’s and Michael Lipsky way of thinking. So here it is:

The staff and their Organizational context:

I have extrapolated below a very small part of a Coursera course called 'Unethical Decision Making in Organisations'.

<https://www.coursera.org/course/unethicaldecision>

I then put my own twist on things so what follows will be an intertwining of what was said on the course and my own perspective (rightly or wrongly). The views expressed herein are my own and should not be considered as endorsed by Coursera.

This helped me understand what role the culture/context an organisation has, and how it can impact on a group of individuals within it.

This addendum was not in my original submissions for Petition number 2011/52 to Parliament.

During week two of the course, they covered the fairy tale of the 'Emperor's New Clothes' by Hans Christian Andersen. In summary this is that story:

"Every day many strangers came to town, and among them one day came two swindlers. They let it be known they were weavers, and they said they could weave the most magnificent fabrics imaginable. Not only were their colours and patterns uncommonly fine, but clothes made of this cloth had a wonderful way of becoming invisible to anyone who was unfit for his office, or who was unusually stupid. In the story the Gatekeeper knew about the love of the Emperor for clothes, so he didn't dare to stop the clothes makers from seeing the Emperor. After their meeting, the Emperor commissioned them to make him those garments. So we pick the rest of the story up here:

"I'd like to know how those weavers are getting on with the clothes," the Emperor thought, but he felt slightly uncomfortable when he remembered that those who were unfit for their position would not be able to see the fabric. It couldn't have been that he doubted himself, yet he thought he'd rather send someone else to see how things were going.

The whole town knew about the clothes peculiar power, and all were impatient to find out how stupid their neighbors were.

"I'll send my honest old minister to the weavers," the Emperor decided. "He'll be the best one to tell me how the material looks; for he's a sensible man and no one does his duty better."

When the Minister went to see how the clothes makers were getting on with making the clothes, he turns pale, He's uncertain about what he has really seen or not.

He decides to lie because he doesn't want to risk his job.

After all because he could not see the clothes does that mean he is unfit for his office, or that he was unusually stupid does it?".....

I have seen this thing happen time and time again where staff are sent on a fact-finding mission and come back with the information they think will please their masters rather than the truth. In my case staff did this to cover their own asses and that's why the MSD/CYF and I have been unable to resolve our issues.

"The Emperor holds a procession to show the clothes to the public. People in the crowd fear the punishment of the emperor and they also fear being ridiculed by the other people in the crowd if they reveal that they can't see the clothes, which may mean they are unusually stupid. There is in effect a conspiracy of silence. So everyone is terribly afraid of something and what they are showing is a very common reaction to fear as a controlling agent.

You can see the non-verbal language at play here as well. Only after the boy in the crowd pointed out the emperor had nothing on were people willing to voice the same concerns.

So why were the masses so fearful to start with?

These kinds of things can happen within organizations as well.
Fear dominates many organizations.

- The fear of not being able to live up to the expectations of your superiors.
- The fear of being marginalized by one's peers.
- The fear of time pressure.
- The fear of complexity, the fear of making decisions.
- The fear of being ridiculed, harassed and expelled from one's social context.

The two swindling clothes makers played with that fear and this is a common strategy to switch off reason in people by the use of fear.

Who creates that fear?

Well, for one the Emperor because he's an autocratic king of his kingdom, but interestingly fear is contagious.

The Emperor is also not exempt as he has the fear of looking stupid now too.

So the Emperor becomes a victim of his own creation.

Fear is not the only driving force of the story, for example, the framing and context of the event can be stronger than reason.

He realizes that he is naked, but he continues the procession anyway.

Reason does kick in, but the routine is even stronger in that very moment.

I have seen this happen wherein Social Workers (CPS) go through their bureaucratic routines without questioning if what they are statutorily imposing is in the best interests of the child.

They turn off their common sense reasoning and just follow the routines as has been proven by the bad outcomes and 14 reviews of Child, Youth and Family (CYF).

The fact is the latest interim report 30 July 2015, from the Expert Panel seeking the modernising of Child Youth and Family has well and truly proven this.

You can see this in play when many corporations or government departments are caught in a scandal as well.

Very often, people realise internally that something is wrong, but the routine is stronger. So they just keep going about their job as they see it.

You see this come out in the 'Nuremberg defense' used at the War Crime trials in Germany after WW2, with the German phrase Befehl ist Befehl ("only following orders", literally "an order is an order"), so they comply with their orders without question. **The Lucifer Effect** by Dr Philip Zimbardo explains who this might happen.

A lot of bureaucrats often say to me we are paid to do a job rather than question it. That's what I think happens within Child, Youth and Family (CYF) and why very few if any speak out about what they know and see to be wrong.

What seems to be highly unethical, irrational, stupid from outside a context might seem a rational, ethical and normal thing to do, ie: common sense from inside the context. The context can be stronger than reason.

Andersen's fairy tale is not a story about some stupid people caught by some stupid forms of behavior.

It is a story about pathological context.

It tells us something about how psychological forces can make context so strong that they become stronger than reason and that this can even switch off reason.

If you put people into a strong context they might do what these people in this fairy tale do as well.

The fairy tale gives us some deep insights into the dynamics of strong situations.

Another interesting element is the dynamic that develops in this story. Like with the Minister and Emperor.

We would assume they are both exposed to the same kind of situation.

They both on the surface have no big differences.

They both meet the clothes makers, they see nothing, and they try to hide the fact they don't see any clothes.

However, there's a difference between the Emperor and the Minister because the Minister goes first and he goes back to the Emperor and confirms the story of the clothes making swindlers.

In this very moment, the confirmation and the decision of the Minister become the context for the King.

The more people who confirm the falsehood, the more difficult it becomes for following people to not see the clothes or not believe the story.

**So the commitment to the lie can escalate throughout such a dynamic.
As this gradually becomes stronger and stronger, the reality is shifted.**

I have seen this happen in the Family Court where a lie or someone is exposed and yet other people rather than speak out turn a blind eye to the issues and let it continue. So the issues perpetuate and because people don't speak up the issues take on a reality of its own in spite of the fact they are more imaginary than fact.

This can so easily happen in the Family Court because the accusation becomes the evidence and the evidence is the accusation, with no real proof in sight.

I am going to digress slightly because this is what I see as one of the major problems within our CPS in New Zealand whether dealing with Social Workers or Family Court report or assessment writers.

Whenever you solely rely upon people's personal but still professionally trusted judgment that's when things can get so easily skewed.

The Minister and Emperor got caught in the trap and the people went along with it.

Within systems if people are not being very watchful things can slip under the radar that ought not to have. Or as that saying best puts it **being caught asleep at the wheel**.

One of the best examples I have seen is when Canterbury University had to apologize for accepting a seriously flawed thesis by Joel Hayward as you can see here below:

An inquiry into the thesis, entitled "The Fate of Jews in German Hands", has criticised its "perverse and unjustified conclusion," but said that it had not been proved Dr Hayward had acted dishonestly and that legally the university could not strip him of his degree.

University apologizes for Holocaust thesis

12:54 AM Thursday, Dec 21, 2000

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=166001

This thesis managed to get through all the Universities scrutinizers and systems and from what I can gather based on the fact it was his judgment and some facts as 'he' had seen them they supported this.

My point in saying this is, as crazy as some ideas seem is you can't legalise sound judgment and common sense and herein lies the problem. So no matter how outrageous some people's judgments might be they remain what they are.

Regarding the aforementioned article, it went on to say there are systems that the University put in place to stop this nonsense happening again that possibly could be transposed to CYF and the Family Court setting. The article went on to say the University had "**systems deficiencies**" therefore they "**recommend firm guidelines**" and the "**appointment of qualified**" peoples. They should have "**appropriate supervisors**" to oversee the work. Whenever people are in over their heads as they often try to carry on in the hope this will not manifest itself. The need for a job and routine can keep things chugging along until the wheels fall off the thing as the saying goes.

I say that because they mentioned "**appointment of qualified**" suggests the person doing the job might have been over their heads. It also seems that the **supervisors** were not up to scratch as well given the comments about them. There also seemed to be some ambiguity in their **guidelines** which they were going to **firm** up. That sounds like the CYF and the family court of me more than a University. The fact these people were no slugs given were they worked shows how easy it is to let things slip by for the best of them. They all go egg on their faces over this all. It did seem odd someone could meet the

If what was proposed got put in place then if someone then tried to present their irrational judgments and the system failed to pick up on this, people from within the processes can reject the work in favour of more balanced opinions. I guess what I am saying it seemed odd someone could meet the criteria to be granted a degree when their hypothesis was so badly floored. That's speaks of processes over substance which happen a lot in the CPS.

If I have not made the parallel better then try this. As one judge said to me you can't make laws to outlaw the ridiculousness of some people's views. There is no law against being stupid or outrageous and even provokingly indifferent to what most of us see as normal or within the acceptable realms of possibilities.

Anyway back to Andersen's fairy tale. This is not a story about some stupid people caught by some stupid forms of behavior. It is a story about pathological context. It tells us something about how psychological forces can make context so strong that they become stronger than reason, which can even then switch off reason itself. If you put people into a strong context they might do what these people in this fairy tale do as well. That's what I believe has happened for some within the Child, Protection System (CPS).

Just think about the times you should have spoken out about something but then failed to do so. We have all done this to one extent or another if we are honest with ourselves.

The fairy tale gives us some first ingredients into the dynamics of strong situations that I will analyze in more detail as the course goes on. For example:

- Fear.
- Authoritarian leadership.
- Group pressure,
- Uncertainty about one's own evaluations.
- The use of too narrow time frames, and the escalation of commitment over time.

And if you look at your own organization, you may find at least some of the above elements in your own context.

This brings us back to what Dr Philip Zimbardo has suggested we consider in these three options below.

One: The 'bad apple' as in individuals.

Two: The 'bad barrels' as in situations.

Three: The 'bad barrel makers' as in their systems.

People might behave irrationally not because of who they are but because of the context in which they are embedded. We can see hints of this with the Milgram Stanford Prison Experiment. See link below: <http://www.prisonexp.org>

So let's conclude this analysis by giving you **five Learning** examples.

Learning number 1:

Context can be stronger than reason.

Learning number 2:

People might get trapped in a very narrow perception of reality.

Learning number 3:

What looks irrational from outside a context might look completely rational from inside the context.

Learning number 4: Fear is a key driving force of such irrational behavior.

Learning number 5:

Modern organizations sometimes look very similar to this kingdom in the fairy tale.

Well if this has got you thinking then I would really like to encourage you to sign up to the 'Unethical Decision' course as run by 'Coursera'. They also talk about ethical blindness etc....ie: Bad apples ... I would like to say a lot more but you best hear it from the experts themselves. I thoroughly recommend this course, as it will change the way you view organisations and those who work within them.

Where this all fits in is near the end of Chapter Two, I mentioned the articles and surveys about bullying in the State Services that also is filtering down towards some NGO's.

Could be that bullying generates the fear and be the reason why people go along with what's proven to be wrong within our CPS

Within any organisation, there will be problems with systems or people's within them. But the one thing that never ceases to amaze me is how the organisation seeks to protect itself and its people time and time again. No one person ever really takes ownership of the issues per se and then we hear phrases like systemic failures.

When any scandals have broken that don't seem to go away enquiries are then set up more to smooth things over then reveal the truth it seems.

That's unethical behaviour in my view to do this to a person on top of everything that's already happened to them.

Within these inquiries are appointed people of very high regard and credibility who in getting involved add their credence and legitimacy to the issue.

They often claim they were there to uncover the truth and help the victims when the opposite seems to happen in the public and victims views.

From having become involved in the Coursera course, I am beginning to see how this can happen and why those within the processes genuinely believe they are doing the right thing.

Many Governments and Churches have done this over the years in dealing with historic abuse claims. Then when, or if, the Governments and Churches eventually set up an inquiry it becomes often more to do with window dressing, smokescreen and mirrors.

No one is ever really held personally to account or if they are it is a sacrificial scapegoat that allows others off the hook in their place.

Then in seeking redress via an inquiry the victims often have to endure an arduous ordeal that re-traumatizes them again.

This more often than not happens decades after the facts have come out and then what the victims get out of the processes like payouts and apologies can add more insult to injury than real closure.

So the enquiries become more about butt covering and trying to make people go away rather than doing the right thing for and by the victims. A lot of the time these inquiries are about limiting liability, as they don't want to pay out the almighty dollar in compensation.

So here again if the people in authority, internally, who have seen or know of the wrongdoing spoke out way earlier all of this could have been stopped in its tracks and avoided. Thus, the pain and suffering and need for inquiries avoided.

A number of times I have heard the same names of the abusers come up who should have been stopped at the time instead of moved on to avoid a scandal is unbelievable.

The system and those within it knew exactly what was going on and are complicit in letting it continue.

How come given the 14 scathing reports about CYF performance, no one within the MSD/CYF thought we needed to do something about this.

I am told fear was the biggest reason why people would not speak out about what they knew to be wrong.

Prevention is always better than cure.

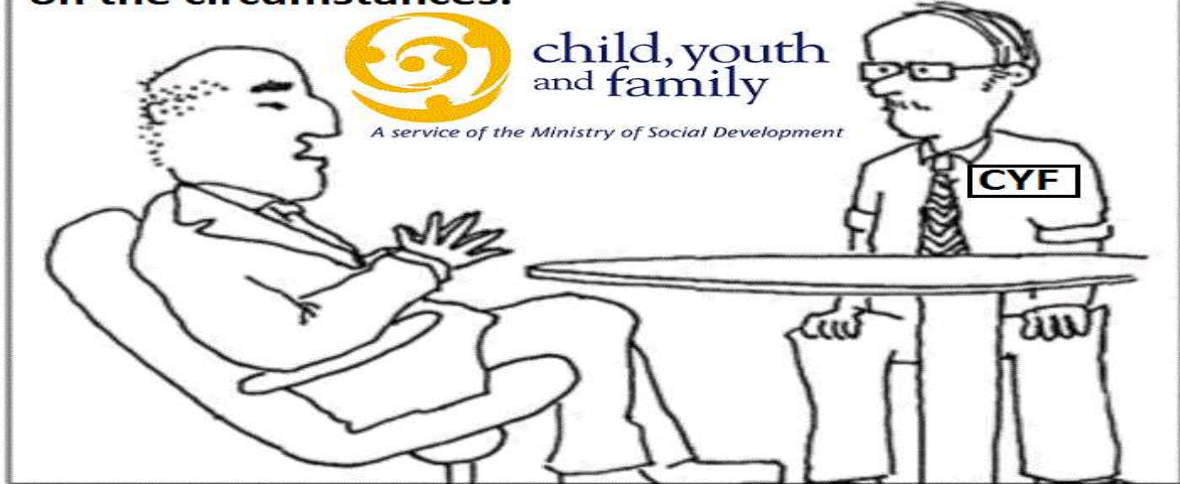
Social Workers have so much professional representation via the **Aotearoa New Zealand Association of Social Workers (ANZASW)** and **Social Workers Registration Board (SWRB)** and also the **Public Service Association (PSA)** yet they cower in the corner when it comes to really standing up to Government for the sake of the public.

I am talking about what's proven to be the very poor outcomes for children and the case workloads etc., there should have been nationwide strikes over these issues.

What about the ANZASW helping their members use the whistle-blowers, Protected Disclosures Act etc.....

We need people within the system to speak out when things go away from the real Social Worker ethos and outcomes that they are trying to achieve like equality, Social Justice and improving rather than worsening people's wellbeing. No matter where the problem is located, people, systems or a combination of both it still requires people within them to speak up when things are not right.

I'm neither a good Social Worker nor a bad Social Worker, Graeme Axford. Like yourself, I'm a complex amalgam of positive and negative personality traits that emerge or not, depending on the circumstances."



A meeting with Graeme Axford and a Child, Youth and Family (CYF) Social Worker in New Zealand. They really did say this but adapted the quote from a cartoon in the New Yorker I since found out.

Chapter Four

Graeme Axford's history with CYF.

This Chapter is as the title suggested based on my case and more personal than professional dealings with Child, Youth and Family (CYF) through what's become a 15year saga now. I decided to include this Chapter four in the book for a few reasons.

Firstly the reason why I included my story in the book is too wise people up about the tactics and behaviours CYF staff can use to wage war on you or others. I also hope this might help people recognise the kind of carry-ons I will soon describe throughout this chapter. That way you can guard against unwittingly being drawn into and played like a pawn in their game.

CYF staff got away with a lot to start with mostly because the general population were not aware of what was really going on. They assumed CYF only ever acted on genuine concerns rather than their own misguided ones to fuel a vendetta. That CYF staff were professional and honest in all things so why would you doubt or question them if you believed this was so. Some CYF staff can get away with a hell of a lot under the guise of keeping children or teens safe in ways you might find hard to believe as I will soon show. I can also prove this has happened to others besides me as you will read about later on.

Secondly my story shows the unbridled power CYF actually have at work as I mentioned that concept in the first chapter. It's a hard concept to explain in brief so I hope these real-life examples poignantly illustrate that.

Thirdly what I am going to tell you has never been denied by CYF or the MSD. In fact, they told the Social Services Select Committee (SSSC) in 2014 they had shortcomings but apologised for them all. So why this story might sound unbelievable it is unbelievably real to me. After this evidence went live on Parliaments web page I was contacted by a number of people who suffered the same kind of treatment at the hands of some CYF staff they got offside with.

The Fact CYF reacted in this manner tells me I had an effect on them either rightly or wrongly. Now this has become a matter of Parliaments official record on their web page I hope it helps others because it just become a lot harder for CYF to say these kinds of things can't or don't happen now.

I talk about the Ministry of Social Development (MSD) at times because CYF come under their umbrella from 2006 onwards as CYF merged with them then. I will also talk about others outside of them who come into play merely for reference context and background purposes in keeping with my case and story.

This Chapter is based on the actual evidence I put before Parliament as a result of mainly my **third Petition 2011/52** asking for an inquiry into my case. Some of the

themes in here were also partly covered in my 2011/33 petition as well rather than detailed specifics for which I will soon cover in this chapter as well.

I had a real balancing act when writing this section up because Parliaments own rules restricted what I could say. I also had to be mindful of other people's privacy as well. I also struggled with what's enough or too much information as I did not want to provide CYF with any ammunition knowing they take advantage and seize upon my lack of literacy skills.

They have taken advantage of the fact I have dyslexia and misinterpreted or misconstrued what I wrote for their own ends. In other words, CYF has used my disability against me for their own means when it suits them.

The MSD/CYF have already heard many of the claims as I am about to outline. A lot of this information contained here has been cut and pasted from actual emails/documents between me, CYF and then later on the MSD over the past 15 years.

To spite the fact my case has been before their Chief Executive Advisory Panel (CEAP) twice now in 2009 and 2012 and had favourable results, getting closure eludes me and was the very reason for enlisting the SSSC help at that time.

Even with the Howard Broad Review of the CYF complaint system we have been short-changed because of this:

Terms of reference as set by the Minister as stated on Thursday, **Oct 25, 2012:**

**It will not re-examine any particular case investigated by the
Ministry or CYF Complaints Panel"**

Source: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10842829

I mention the CEAP because some people have said given my more favourable then not outcomes from them why don't I just let it go now.

I see the CEAP as a whitewash and the fact the Minister did not want Howard Broad to look into their findings suggests to me this might be so. As a result of me going before the CEAP twice nothing changed and there were things they could not consider I will soon go into. The fact I won both times (2009/2012) was a hollow victory in my view.

The Broad review actually supported the fact CYF own complaint system from top to bottom short-changed complainants at every point of their processes as happened to me twice now. Let alone the many others I supported going before them as that was the only option open to us. Like it or not you have to follow their processes before you can take matters further.

Just as a point I can only normally refer to my case in public to get around privacy and suppression order issues talking about other people's cases might create. On the odd occasion when I do refer to other examples that's because they are already in the public domain. So I will now attempt to walk you through everything that led me to this point wherein in it's coming out as a book. I found it easy to put experiences under the appropriate headings as that was the only way I could see to do it. Whenever referring to oneself that's by far the hardest to write up and a task

made so much more difficult for me owing to the symptoms of having dyslexia as explained in the preface. So here we go.

My family's history, how it all started

Our first in depth dealings with CYF were in the year 2000 and due to someone else's history. CYF believed that this history put a family member then aged 5 at risk. The family never challenged the reason for the CYF decision to uplift when we found out what little we could about why they did this some years later. There are also suppression orders which forbid even us from knowing too much about it all.

However, our concern is how CYF treated me and the wider family and child in regards to our dealings with CYF and the MSD. Believe me when I say it was a shock to us all when the family member was uplifted as none of us had any idea at the time why and or for many years after that as well I should mention. The child in question has since changed their name and I am going to be very careful not to give any identifying features away as I tell this story. I will also endeavour to disguise other people and parties caught in the crossfire so as to protect them.

All we (the rest of the family) wanted was reasonable access and a say in what was best for the then child in CYF so-called care. We got very limited access and virtually no real input into decisions made for this member of our family to spite all the meetings. Yet it is stated that CYF will work with the wider family. I mean really!

To us, it seems like CYF took our family member and held them to ransom. People in prison got more visiting rights and access to their family than us on the outside that committed no crime or had anything to do with why our family member ended up in CYF care.

Then it feels like the then child become a pawn in a game over the last 13 years. I have had more contact with the young person in the short time since they turned 17 and aged out of CYF care now than in the whole of the previous 13 years they were in their so-called care. We the innocents were kept away from our family member by some CYF staff. This was confirmed by the findings of the MSD own **Chief Executive's Advisory Panel** reports of **2009** and **2012**.

Outlined below are some of the tactics used by the MSD and CYF to try and silence me and other critics who will challenge them when they do wrong by the families. While some of these tactics used will seem insignificant or trivial; CYF will if unable to get their own way, escalate things as time went on to the point they carried out actions that were at the least morally unethical or possibly illegal as I will go on to hopefully explain well enough throughout this chapter.

Tactic 1: The smear campaigns:

In the early days of my protesting campaign, a member of the public asked a CYF manager if it was true that a person with criminal convictions against children might have been protesting outside their offices. The manager's reply was "they are

unable to confirm this". They asked if this person had a family member in CYF's care locally in which they responded "I would be unable to confirm this".

The reply given (as stated above) is technically correct, the manager has done nothing wrong apart from not choosing their words that wisely. However, the manager has sown some seeds of doubt in the inquirer's mind. I believe that the manager would have been well aware of the impact of letting people remain confused between the two different people both related to the same person in CYF care.

The person who was the reason/excuse for our family member coming into care is in no way related to me nor have they ever been for the record. I have never defended them either; otherwise do you not think CYF would have let that slip by now? Any such claims to the contrary are bogus and if you don't want to take my word on that read CYF own evidence they put before Parliament as it becomes clear who I was and not helping in that regard.

Another part of this puzzle that caused even more speculation and seemed to give the rumours more credence and momentum was the fact our Family member in CYF care also had hyphenated surnames. So they took the second part of the name off leaving them with the same as mine. Some people assumed I was old enough to be their parent and then my child which again put me even more into the pool of possible candidates... The waters have been well and truly muddied and a stain put on our entire Families name because of this.

As a result of this deliberate misperception by the manager, I was abused something horrific by bypasses. **In addition, I was punched by a member of the public** because they thought it was a bit rich if an abuser thinks they should have rights to children. Considering CYF exists because child abuse and neglect do I get that...

The Greymouth Police seemed to not want to know about the incident/assault. The Police officer basically said if you don't want it to happen again stop the protesting because you got what you deserve by making a spectacle and target of yourself by protesting about CYF and in public in the first place. That if I had of stayed at home this could not have happened to me. Some at the Greymouth Police do apply the law without ***fear*** (*of getting caught if they do wrong*) and ***favour***; they will do you *if you're in their good books*. They know how to use their discretion alright for the wrong reasons at times it seems.

The motivation for the confusion tactic is simple as I see it. I believe the manager wanted to stir up a frenzied vigilante lynch mob against me so I would feel unsafe protesting. West Coasters have run people out of town before as happened in blackball, in which the police did nothing to stop it.

If you doubt that then follow this story "**Serenade protest tested in top court**"
...**But a protest outside a known paedophile's house at Blackball in May did not result in any arrests, he said...**

Dated Thursday, Dec 8, 2005, at 5:00 AM - NZPA

Source: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10358934 .

That person got run out of town and I believe beaten up as well. Yet, on the other hand, the Greymouth Police did get upset when **Allistair Patrick Brooker** did this:

A Greymouth man yesterday asked the Supreme Court to uphold his right to protest after being arrested playing the guitar outside a local police officer's house

Serenade protest tested in top court

Dated Thursday, Dec 8, 2005, at 5:00 AM - NZPA

Source: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10358934 .

I should add that Mr Brooker won his case in the court of appeal if anyone wants to look it up.

I mean logically think about it yourself for a minute; if you believed a child abuser was protesting outside CYF what's your gut feeling? Would you in any way support them or not warn your friends about then go them if you see them doing this.

We, the family in the early years were totally oblivious to the persons past who was the reason/excuse why CYF claimed the child needed to be brought into care. To this day, we are totally in ignorance of what really happened also why CYF left the uplift of the child until they were five is another unanswered question if the risk was imminent. Some people have suggested they uplifted to get back at me.

I should add we firmly believe it was CYF who originally let it slip about the possible reasons why our family member ended up in care as at that time we did not even know ourselves to be able to tell anyone even if we were able to. We found out what little we could via the grapevine long before we were ever told what little we could officially. So to this day we are not quite sure even now which is why I am vague and careful about the words I use at the moment. I have never seen an official document that states anything and only ever been told bits by CYF third hand. CYF can at times not be a very reliable source as I have seen for myself while helping on other cases in the Family Court. CYF seem to generate a bit of misinformation themselves like my two kids in Invercargill. Sometimes things are taken on CYF files as a gospel truth for no other reason than the fact it's on their file so must be correct right!

Then CYF refers to the file note but then can't produce any evidence to support that file note. The stories I can tell you all about this if it was not but for time and blanket suppression orders in the Family Court. .

I have also got different answers from CYF staff about the issues and reason for our family member ending up in care that just don't line up at all with what other staff have claimed. Of course, CYF will never own up to this leaking and dissemination of misinformation as that would breach their codes of Ethics Conduct and Integrity.

My focus in saying this is less about what we can prove in this situation but more around even if they were to deny it, why was that Manager never asked the question about their involvement with the misinformation. Even if they inadvertently slipped up and made a genuine mistake by making the innuendo, they could have corrected it. When we advised CYF of these issues they did not want to ask the question to find out the answers I believe. In not seeking answers, they more or less condoned this behaviour and tactics used against me which continued even more so after they got away with it the first time around.

In this case, the suppression orders are to protect the victims, not the perpetrator. When or of the public try to find out why a child has been uplifted and the public hear about alleged abuse; the possible pool of candidates of wrongdoers is low if you think you can correctly single one part of the family out as more likely candidates even if the individual perpetrator can't be accurately pinpointed. The entire family comes under a cloud which creates more speculation. We the innocent family members are as much victims in this as the child in question; all of the family got tarred with the same brush for a while.

Luckily for me I am a driving instructor which means I get Police vetting every year and also a fit and proper person check on top of that. This is why I kept my instructor license going so as to prove I had no record should I ever be asked for proof by the public or reporters. To be a driving instructor you can't have criminal convictions of any kind, I believe. I also completed a Diploma in Social Work which also required vetting and strict supervision. To spite these two facts some people, when they get something in their heads, their minds are made up regardless of the reality or facts as I just described.

This confusion tactic about the reasons and the person that led to our family member coming into care made it to some organisations and other activities which I helped run or worked with or in some cases just went to. Some people approach the leaders with their concerns about me having heard the rumours going around town. Some parents refused to send their teens to Youth activities or services I worked with because of these rumours. Some concerned people even tried to get me kicked out of various organisations and other activities and groups based on the rumours and also because I take on CYF publically.

So the CYF issues were even affecting what I could voluntarily help with.

Some places seem having me there as affecting their reputation to spite the fact they knew the truth and issues between CYF and I, However they seen me as too much of a risk in light of all this so I got kicked to the kerb solely because of the public perception and they got sick of defending me being there. However, not all groups were like this and for that I am grateful as that's what kept me going over the years, balanced and focused.

Some of this confusion and rumours even made it to a school I was contracted to as a tracker for one of their students, the student had been naughty and I was to help them integrate back into the school. So wherever I went these issues followed and certain CYF staff weren't that far behind them. I just want to be clear about this point. It was the odd CYF staff member who targeted me not all of them by any means. In fact, they were so covert in their endeavours it took some time for other colleagues and peers even in their own office a while to surmise what might possibly be going on. Others to this day might still be oblivious to it all as the rogue staff would hardly advertise their efforts and risk getting potted by the more honest ones likely to do so.

This character assassination to ruin my reputation and try to discredit my campaign did work to a degree and even to this day causes me some troubles. The thing about rumours, hearsay and gossip (originated by some rogue CYF staff) is, once it gains momentum it takes on a life of its own and nothing can stop it. Some people never

let the facts get in the way of a good story and just get off at trying to cause others grief because they can.

So you can see how and why people would be confused given what the local manager said and the other factors I just outlined throughout this chapter.

When records are sealed by the Court it becomes impossible to prove or disprove anything as you don't have access to the evidence that point to someone's innocence or the right person's guilt. Nor can you find out the truth about what really happened because of blanket suppression orders themselves being in place.

Tactic 2: Alleged extortion attempts (2008 and 2009)

In the original submission, I used the word **blackmail** as extortion was unparliamentary.

In another attempt to try and stop my campaign when the first tactic did not work as well as they hoped a manager called me and some of my family members up to the office on **10 June 2008**. At this meeting, the Manager asked what his family thought about Graeme protesting outside their office. Ironically enough most did not know and to be frank, did not care. Then the Manager tried to suggest this could have a detrimental effect if our family member in their care found out about it and could find it upsetting etc. Some at the meeting felt this was blackmail and using a child to try and put me off protesting. A staff member who since left CYF informed us our assumption was right on the money in their view. That's because the Manager was overheard running it past another staff member before it happened. They also had two other more direct attempts in **2009 and 2012** at using the family meetings to stop my protesting and campaign for accountability which I will cover later on in this chapter if there be any doubt about CYF underhanded approaches.

I made CYF aware of this and after some time I also posted the story on my blog <http://familygroupconferences.blogspot.co.nz/> when CYF refused to acknowledge my complaint about this in which they ignored us yet again even to this day on that topic. Head office did not follow up about this because they did not want to know the answer given all the witnesses present. If you don't "see no evil, hear no evil, speak no evil" you can't be expected to know therefore do anything about the evil that exists. I use the word evil because for CYF to use a family's child against them for their own ends is just plain evil in my view.

I was the first person to ever go before the Chief Executive's Advisory Panel (CEAP) and best of all have a win with what little we could bring to them. We had at that time only 8 years of complaints mostly upheld by the CEAP while during that time to spite the fact CYF own internal reviews at their highest levels totally disagreed. To me, that vindicated my entire campaign and the need to have protested as I did. The CEAP could not investigate all of my complaints given the length of time that passed since 2000 and until 2008. Also, some information and staff were not available and the sheer volume of outstanding grievances was time prohibitive as I only had 5 hours or less before the CEAP to cover 8 years of grievances. Like that was even going to come close to getting through them all.

This will still again be an issue if Parliament ever bothers to conduct an inquiry into CYF. These are all CYF tactics to let things build up go on for so long that is just about impossible to unravel or get to the bottom of things. If by the time you get to the end of this document and it does your head in, you might see and feel how that works. I could have quadrupled the amount of pages I could write about the CYF tactics which is why this never feels finished to me even now. I could go into far more details throughout this document and, believe me, this is only the very short version.

As a result of the first CEAP recommendations (2009), it was suggested that a family partnership agreement is entered into. So we had a meeting which included the Regional director. This took place on **Thursday 4 June 2009** at 10 am in Hokitika.

CYF main concern seemed to be about dealing with me and my protesting and the Blogs I put up about them rather than how we were treated and what was in our family member's best interest while in their care. So I agreed if that's what it took to get a better deal for my family to remove some blogs as long as CYF lived up to their end of the deal and started to change its ways for once and for all. After all that was the very aim of the blogs, videos web page and protesting was to bring about positive change within the organisation for my family and everyone else's. So under duress we agreed to that but the family members at that meeting thought it was extortion/blackmail at its finest by them.

Unfortunately CYF did not fulfil their part of the bargain so I put the blogs back online went back protesting etc.... My point is I believe all they wanted was the bad publicity I heap upon them via my campaign using protesting and blogs to go away, rather than doing right by the family or being willing to learn or change their ways. If CYF can't get things in our family case right **second time around** that raises even more serious questions about them doesn't it?

However many months before I restarted my protesting campaign I contacted the Regional director to let them know of my intentions to see if we could resolve the matters. Instead of reconciliation I got this reply:

-----Original Message-----

From: the Regional director name removed

Sent: Friday, **3 July 2009** 1:38 p.m.

To: Graeme A

Subject: RE: Final letter to John

Hi Graeme,

Thankyou for advising me of your intent. I am disappointed that you feel this way and you are intending to start your protest again. A significant part of my disappointment is my feelings for Christine and her team.

Regards

John Henderson

The Regional director seemed less concerned about why I was going back protesting rather than the cause or issues. If CYF had of addressed the issues I never would have needed to protest again. Then CYF did everything they could to deal with me rather than the problems I highlighted.

Tactic 3: Use others to attack

I wrote to the Regional director about CYF calling the police on me and received this response dated: Monday, **7 February 2011** 6:11 p.m. from (name Removed):

C) That CYF and Police are impinging on your right to protest, due to you being asked to leave by the Police when protesting.

The **Police and CYF** do not wish to impinge on your right to protest peacefully. It is **our belief** however that these protests have escalated to be a form of harassment fitting within the definition of Part 3 of the Harassment Act 1997. I have a responsibility within my role to ensure that we are taking appropriate steps to protect our staff from this, and I support the approach currently being taken.

Now to be clear and give context to the background of that statement, it was the frequency of my protests they took issues with not what I was saying or doing. Here is why the Harassment Act applies to individuals, not organisations. So as long as I could not be seen to target staff personally there was not a lot they could do about it.

Notice how they say the **Police and CYF** like they were working together. CYF always claimed they did not want to "**impinge on your right to protest**" then did just that by using others every opportunity they could get.

Given the Regional Directors response, it looked like CYF was talking for both them and the Police like they were bedfellows. CYF called the Police on numerous occasions and because it looked bad the Police turning up all the time the public would not openly support/stand with me for fear of being arrested or targeted. The public assumed for the police to have turned up all the time I must have been doing something wrong. I mean wouldn't you think that as well?

So to deal with the on-going Police harassment on CYF behalf I hired a Barrister called Evgeny Orlov from Equity law chambers to write to the Greymouth Police. He advised them of the law and why they should not attempt to stop me while I was legally protesting outside CYF again.

Some Greymouth Police officers tried to bully and intimidate me off the streets and their only motivation for this I can see was to do CYF another favour

The Greymouth Police after having been written to by Evgeny Orlov from that point on did not bother me again. Does that not tell you something? Does this not seem all backwards? CYF targeted me while I legally protested and the Police who should know the law come after me for this. What happened to the Greymouth Police applying the law without fear or favour? Just as an interesting note it was only in Greymouth I was met with this bad reaction by the Police. Everywhere else they were fine with the protests.

CYF also called noise control, transit NZ and, of course, the Grey District Council to see if I had a permit to protest. Now CYF has done nothing wrong by doing that as everyone should act within the law without fear or favour, but it was the fact they claimed they were not going to interfere then got others to interfere for them as often as they could.

If John wanted my protesting to stop all that was required was for CYF to lift their game and also put things right. The fact John could not get them to do that proves in my view the tail was wagging the dog. Their head office lost control of some staff years ago and that's part of the reason they went from bad to worse in my view.

Tactic 4: Diversionary and still using others.

When that tactic did not work much later on CYF foolishly persuaded a newly appointed noise control officer at the Grey District Council (GDC) to use **section 327** of the **Resource Management Act 1991 (RMA)** to deem me using one Megaphone during a protest as "**excessive noise**" The GDC did issue me with an abatement and desist notice which has cost recovery built into it rather than a fine. I refused to pay this as I believed the GDC got it wrong and had costly legal opinions to support that.

While the fine was only \$47 I was not about to pay for their mistakes and it set a bad precedent for the future. So if the GDC was going to take me to court I would challenge the validity of the notice against my Right to protest using the megaphone. So I went to the GDC meeting on 12th February 2013 to explain this in the hope they will come up with a solution. To resolve this impasse and save the ratepayers Cr Peter Haddock and Mayor Tony Kokshoorn agreed to chip in to pay the \$47 cost which I accepted -thank-you ☺... This was reported in the Grey Star newspaper. They saved the ratepayer's a lot of money by doing this as the lawyer I used was the best of the best and I sure they would not wrong.

I see Greymouth CYF trying to set the Police and GDC onto me as a **diversionary tactic** because while I am fighting it out with them this might take my focus away from the MSD and CYF issues.

However, things did not end there they just kept going hoping other people would be without the presence of mind to help them out.

I also ended up with a contractor undertaking some work for the local CYF office trying to hinder my protest so I emailed CYF to point this out and got this response:

-----Original Message-----

From: (Regional director named removed)

Sent: Tuesday, **23 August 2011** 12:52 p.m.

To: 'Graeme Axford'

Subject: FW: Protesting hindrance in Greymouth.

Afternoon Graeme

I am responding on behalf of the CYF people that you have cc'd into your email sent last night.

The people who have spoken with you regarding your protesting outside the CYF building in Greymouth have done so as **private citizens**, not as a result **of any direction or instruction by CYF staff**. This is not part of any deliberate strategy on the part of CYF to hinder your protesting actions.

Regards

Not only did this contractor continue after this response from CYF but they became more aggressive. The contractor happens to have been a former CYF caregiver/foster parent. The response from CYF is also interesting because contractors are not normally allowed to get involved with anything that's happening around the place outside of the job they are contracted to do. It seems CYF supported his interference by failing to ask him to stop it while doing work for them. **This was neither the first nor the last time that people who benefited from CYF contracts have got in my way or tried to stop my campaign one way or another.**

Just as another point I went to complain to the Greymouth Police about this contractor's interference with my right to protest and the Police said he had a right to protest about me protesting and if you don't like it "don't protest yourself". However, the Police at one point made me go to the Greymouth District Council (GDC) to see about a permit for protesting. I had no idea one even needed a permit in the first place. So then where was the contractors permit if they wanted to protest about me protesting? Oh, that's right they did not have one. So by the Police not applying things equally that must favour CYF, yet again?

Many locals over the years have issues with what's been going on at the Greymouth Police Station so when this happens it comes as no surprise:

Three top West Coast cops on leave won't reveal why

SARAH-JANE O'CONNOR

Last updated 12:38, June 3, 2015

<http://www.stuff.co.nz/the-press/news/west-coast/69060861/Three-top-West-Coast-cops-on-leave-won-t-reveal-why>

Then we have this stage development

Top West Coast cops to sue boss over 'witch hunt'

Last updated 15:08, July 7, 2015

<http://www.stuff.co.nz/the-press/news/west-coast/70014017/top-west-coast-cops-to-sue-boss-over-witch-hunt>

Could this be karma about the "witch hunt"?

West Coast cops' defamation claim withdrawn

" Greymouth Star on June 2, that portrayed them as incompetent and having failed in their duties."

ASHLEIGH STEWART Last updated 20:03, August 12, 2015

<http://www.stuff.co.nz/national/crime/71074610/west-coast-cops-defamation-claim-withdrawn.html>

I have added this section in **2015** because I want people to think twice about what they see or hear then believe on the internet without first checking any facts. I wanted to add this section as a warning to all about anything posted and shared online.

This is how deceitfully wicked some at CYF can be and play on half-truths and also try to set people up against others for their own ends.

A group put up this piece of advice:

...Before passing over your personal information be sure to ask these important questions. FACT A: well known group's admin was convicted

here in New Zealand for blackmailing a client over their private information, that group continues to this day.

<http://www.panic.org.nz/faq.html>

However for the record if people want to know who **P.A.N.I.C.**, was talking about then follow the below link:

<http://www.stuff.co.nz/manawatu-standard/news/8032871/Tables-turned-on-cyberbully>

Tables turned on cyberbully

Last updated 11:15 04/12/2012

An informant warned me that CYF wanted to set me and him up against each other if I tried to defend myself by having to put people right and name him.

This person is neither my enemy nor my friend I should add.

Many other online groups and individuals seized upon this and the misinformation about it being possibly me spread like wildfire. When anyone says something about someone on Facebook don't take it as a given fact and always look into things a little deeper is my advice.

Some at CYF also told me that the blackmail reference was worded that way so they could exploit it to be used against me as that group left who they were referring to wide open. However, CYF is well known for mischief making so the jury is out on that one. In the same way that group sought to warn people about handing over their cases and information to others so to do I. As this kind of thing can happen:

NOTICE TO CLIENTS AND MEMBERS.

It is with great disappointment that two advocates decided that they would mirror our organisation and create one of their own.

Both these advocates (name removed) and (name removed) had been police vetted and signed agreements with our organisation. HOWEVER both these advocates also did the unthinkable and took the client files in the process.

These files are only cases they were engaged in or played a part in, they do not have access in any way shape or form to any other client files. It is with hope that they consider the serious nature of this action and how it reflects on them as individuals. The secure database was strong against outside attacks however inside abuse of the system did not occur to anyone. The files are not 'outside' of this system but have been hidden from our access and still secure within its walls but outside of the orgs reach. They are in effect 'stolen' and this is very serious for both of these former advocates. We advise ALL clients under these ex- advocates to demand their files return (It is possible for them to move them back into an area where these can be reached by our system) Firm action is being taken and we will keep you informed of this. We must however trust that although they clearly have a limited knowledge of law etc that they do understand the continued use of the privacy act and will do what is right. **FCIS/PANIC** has done a great deal to insure client safety, far more than any other group or messageboard available to those seeking help. It will continue to build and invest time and effort to excel in improving outcomes for families and making changes within that system. It will also not resort or spend its time in on line battles or attacking individuals by twisted facts or lies. It will remain working towards excellence where ever possible.

While I noted that in their FAQ they also stated “**Be sure to check any group you belong to has its own code of conduct for its advocates**” that hardly stopped those kinds of situations as above from happening or many other issues since then from occurring either. I think it’s also ironic they talk about “ codes of conduct” then took someone on who had their Social Worker registration suspended by the Social Workers Registration Board. That means they are currently deregistered. This sort of does not add up if you set high standards for yourselves as a group.

When people come and go from support groups this poses risks for those seeking help from them. I also know of a group when they got criticized turned on the very people they were meant to be helping. They also said if their former client’s continued to warn people about them they might have to defend themselves and release some information on the client’s case and files in the public arena. There seems to be a bad element out there within some groups that is hell bent on creating issues for everyone else. I should add the person who did this to clients is not the one named in the named in the “Tables turned on cyberbully” article.

Be careful what you say on Facebook and in groups and watch what you share with others as somehow somethings from social media have turned up being used in Family Court proceedings. Even from so called closed and secret Facebook groups. I tell people don’t put stuff up you don’t want made public because you never really know if people are who they claim to be or not.

I am unsure if CYF have spies, informants or an agreement with Facebook or a warrant to watch some groups. Or they are getting Government security/spy agencies to keep an eye on some Facebook groups for them.

Some people are going around other groups touting for business so they can be seen to help more clients, therefore, get more funding for themselves.

Others just want to use you and your case as ammunition to battle it out with CYF at your expense. . Don’t get me wrong there are some really fantastic groups and individuals who help others with CYF/CPS issues on Social Media.

I will not name them as I fear CYF allies or those with alliances towards them might start up on them as they have done me over the years.

So what I am advising people to do is be very careful who you deal with online.

You need to be extra vigilant when seeking help from others is where I am going with this all. If you give them your information you lose control of it at that point and with stuff on Social Media it’s very hard to get rid of even when you think it’s been deleted as it can be cached for years to come.

My point to all this being if CYF had a proper complaints system it would limit if not eliminate the need for CYF clients to go outside of the system in desperation. It’s hard enough trying to work your way through the CPS without these side issues going on as well.

Also from their own FAQ I can’t see how this could work either:

“...**If it were to receive funding from the ministry** it would state it and have a copy of that contract available. It would however never agree to something that would **result in its work being compromised**...”

<http://www.panic.org.nz/faq.html>

Just as a side note there are a number of groups or people using the abbreviation P.A.N.I.C. This is not the same group started by John Tonson, many years ago.

The fact they say “ if” and then go into state what happens next should they get some points to the fact they are not only open to funding from the MSD/CYF but might be after it as well. I have as yet to come across anyone getting money from the MSD/CYF or Government who does not feel compromised or obliged to tone things down to a degree because of that.

In fact, some former members told me they changed the name from PANIC to something else because it had too many bad memories for CYF. If that’s correct that in itself might be seen as a compromise already.

People have often wondered why I never sought funding for my **Child, Youth and family services (CYF) accountability** Facebook group so now I shall explain why. After 2006, I started my Facebook group only for political purposes and not as a support Group per se at all. I helped people when and how I could and that group grew from there... My group was aimed at getting public support for my Petitions in the hope to initiate system-wide changes... For every one person I helped leading up to 2006 there was so many more in waiting and that was a never ending and forever growing list.

I could have formed an actual support group then but decided against this.

That’s because when I worked out how badly the odds were stacked against people I realized that the CPS overall needed to change and to that end I worked.

This approach is what sets me apart from many other groups as often they treat the symptoms rather than root causes being the ecology of this all.

A lot of groups also end up being echo chambers of slacktivism rather than taking up the cause and seeking positive changes.

Don’t get me wrong I have nothing against people venting their frustration but at what point does talk go beyond this towards manful action.

Time has proven not going for funding has saved me a lot of issues as you can see from here what might happen if one does:

“...quarter of community organisations now have gag clauses in their contracts preventing them from criticising the Government...”

Hansard (debates) Draft transcript - Wednesday, 26 November 2014
http://www.parliament.nz/en-nz/pb/debates/debates/speeches/51HansS_20141126_00000878/logie-jan-general-debate

So going for funding does gag/compromise you it seems. While they stated “criticising the Government” that does also extend to their departments such as the MSD/CYF in many cases. After all if a Government department is criticized their Minister and Government of the day might be in the firing line for this. They don’t want anything to come out publicly that can be of embarrassment for them. Why else do you think the Government has a “**no surprises policy**” for their departments? Google that phrase if you doubt this and need to know more on that topic and you will soon see what I mean.

Even if you seek only private funding you still need to play by the rules set for you. Having “**charitable status**” also comes with strings attached as well so you can’t really escape the Government grasp as this was also designed to gag/compromise your ability to speak out against them as well.

Both **Family First** and **Greenpeace** found that out the hard way when they got struck off and deregistered for speaking out on issues in the public good as they seen it. The then Charities Commission deemed them as getting political therefore undeserving of their charitable status for that reason alone.

While both **Family First** and **Greenpeace NZ** successfully appealed the Charities Board/Commission decision that fired a warning shot across the bow of anyone who might attempt to speak out about the Government's policies or direction. Also some NGO's have it written in their staff contract at the behest of CYF they **can't criticize their funders either.**

If people doubt the control the Government has over NGO's and the chilling effect this has on their ability to speak out then listen to what The Hon DAVID CUNLIFFE said during Question Time End on Wednesday, 04 November 2015. One of the many relevant points he made was this

"The NGO sector has fared no better—cowered into submission. Tony Soprano would be proud"

And also:

"What about when the Problem Gambling Foundation was declared to be 'the problem'?" ".... That's another story in itself..."

Link: http://www.parliament.nz/en-nz/pb/debates/debates/drafts/51HansY_20151104/draft-transcript-wednesday-04-november-2015

The point of me saying this is having real freedom to say and do what you would like costs in many ways and will put you on the outer and broke.

Even I have spent money defending my right to protest and I don't get funding nor do I have charitable status for that very reason to keep me out of their reach or so I thought. . Given I had neither that's why the MSD/CYF resorted to underhanded tactics and behaviors because those are the only ways they could use to get at and try and stop my campaign.

Given the revelations in the **dirty politics** book, as written by Nicky Hager and published in August 2014, it should then be no surprise if the Government resorts to underhanded tactics and social media to get at people, therefore, their departments might as well if needed. If you doubt that I will soon give you some very specific examples about ACC later on... We hardly have Government setting the finest example of moral leadership and that's also reflected in the increases in the amount of bullying within the public sector as their own surveys show. The Hon David Cunliffe speech two paragraphs above also refers to the dirty politics saga and other things going on that are stifling our freedoms.

If the Government can't get those who rise up with issues to subjugate they will allow you to be beaten into submission by the state sector. IRD, ACC the Police or MSD/CYF just need to get on your back for that to happen and I have within this book given very clear examples of this.

That's why CYF have been allowed to get away with so much over time.

The Government does not want them caught out and shown up for all they have done to me and others because that will not look good for the Government or CYF. Therefore they sweep it under the carpet as Parliament's Social Services Select Committee has helped do.

Government's just about always creates the climate and rules which allow your organization or professions to function under generally.

Then the Government via the taxpayer redistributes the money/funding to pay for services. They also fund the governing bodies or oversights such as Boards, Commissions etc. The Government often recommends or appoints people to them

and sets the rules/laws they function under. They have a hand in most things one way or the other via these means and you are kidding yourself if you think otherwise. Throughout this book when I talk about issues with the Independent Police Conduct Authority or the Chief Executive's Advisory Panel let alone the Office of the Children's Commissioner they were all set up to fail and under deliver. Even in underfunding like with the office of the Ombudsman that helps Government departments get away with way more than they should and hinder real-time meaningful accountability.

So one way or the other by those means you are under obligation to them even if you can't see it at work. The Charities Commissions or Social Workers Registration Board is but two examples of this. You're naïve if you think you can truly butt heads with Governments or their departments and not come off second best most of the time. These Boards, Commissions or Panels can be a two-edged sword wherein they let some people away with far more serious things while they crucify others who they don't like for less trivial matters and more so those who dare question or speak out about their oversight.

Whenever you stand up for your rights or that of others you can expect a backlash either officially or unofficially. The officially happened with ACC claimant Bronwyn Pullar who was accused of blackmailing ACC when she went public over their treatment of her. She was however cleared by the Police on the 5th June 2012.

ACC also went after an advocate named Mike Dixon-McIver who helped many people. ACC tried to prosecute him for fraud, relating to advice he provided to a client about filling in a reimbursement form. In November 2008: Judge Behrens throws out the case, expressing misgivings about the legal process. Shortly after, Mr Dixon-McIver suffers a mental breakdown. In January 2013 Judge Behrens orders the full recovery of costs and heavily criticizes ACC's decision to prosecute, calling it an "extraordinary allegation". Was anyone at ACC ever held accountable for any of this?

Government agencies should never be allowed to get away with treating the public they are meant to serve like this. It is a misuse of their position and power. However, I can assure you what CYF get away with pales in comparison to them all. When Government departments accuse someone of blackmail or fraud that's proven never to have happened they don't seem to get publicly censured for that by the Government. People might say my views are an over exaggeration but Government departments have got out of control before like CYF are now is my point.

Another example: IRD has lesser powers than CYF, yet the IRD still created havoc as outlined in the book authored in 1999 by Rodney Hide ACT M.P called "**The Power to Destroy**" illustrated this graphically. Given IRD powers were not as unbridled at CYF consider the following reviews of Mr Hides book while you ponder that:

"In Rodney's book he documents "the full horror of an **out-of-control IRD with enormous powers operating without check or balance....**". He writes about the **boasting** of IRD staff over taxpayer **suicides**, and their power playing to making people "lives a **living hell**", how they **pressurise and split up families, terrorise sick and dying people. IRD staff get rewards and incentives to do this. It is encouraged...**"

Source <http://www.relatingtolife.com/index.php?page=82&name=Death%20and%20Taxes>

I have known some CYF staff making people's lives a **living hell** and to **split up families** by removing kids or stopping couples living together if they want to keep their kids under the same roof.

As for **terrorize sick** and dying people some CYF staff show no mercy or respect towards grandparents in bad health. I have heard staff saying about child **suicides**, it was bound to happen anyway or they are better off dead then living because of their pain.... The father was a deadbeat anyway and kids better off without him and one less problem for them and us to deal with now. The family Court has a lot to answer for and this has been talked about before if you follow the link below and read the speech by Judge Boshier.

Principal Family Court Judge Peter Boshier, talked about suicides in the article.

Judge links suicides to family break-ups

By Simon Collins

4:00 AM Thursday Nov 19, 2009

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10610207

While on that note there are proposed changes to the Coroners Act so that suicides in custody or state care can be covered up it seems. Now you have to ask yourself why anyone would want that to happen or see it as a good thing. Follow the link below to read my on that topic:

Inquest change risks coverup - lawyer

Updated at 10:45 am on 5 May 2015

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10610207

Again we see the trend away from accountability for those who are meant to care for those in the system. It's really hard enough now to go beyond a paper inquest to a hearing and the Coroners office also have systemic issues that make getting to the truth problematic in itself. I won't go into what they are as that's hell of a long list.

In fact the PSA and Government sought to make it outright impossible to hold any public servant to account as you can read here:

Indemnity for Public servants debate

Indemnity

The introduction of protection for State servants from liability for civil proceedings is timely and welcome, and is supported by our members. It is important that public servants have this immunity from liability in civil proceedings. Most errors by public service departments that lead to personal loss or injury, or the death of citizens, are as a result of systemic problems, rather than purely as a consequence of the decisions or actions of individual public servants. Such cases can destroy individual public servants' lives, even when they may not bear personal responsibility and have acted in good faith. Legal proceedings can take years and the on-going pressure can lead to family break up and the loss of careers. Exoneration through the courts can arrive too late.

http://psa.org.nz/Libraries/PSA_Document_2/PSA_submission_SSPFRB_feb2013.sflb.ashx

However, they seemed to have missed the fact few have really been sued as it is. While I realize that this will seem very wide of the mark without accountability anything goes. IRD/ACC or CYF and alike can run amuck. There has been a big push towards letting individuals off the hook in favor of blaming the system they work under. I have copied this article below to further support my claims because it's no longer available online:

Editorial: Immunity for public servants a bad idea

*Nothing fosters discipline quite as much as individual accountability. It is understandable, therefore, that the Law Commission should look askance at the Government's plan to give negligent public servants immunity from civil lawsuits. It would mean, it says, that teacher unions could not sue the Ministry of Education over the Novopay failures. Or, in the episode which opened this Pandora's box, that Susan Couch, the survivor of the Panmure RSA triple murder, would have been banned from suing the Probation Service. Until this case, it was taken for granted that public servants could be sued, **but under an indemnity their department had to pay if they were found to have been negligent.** Ms Couch received an out-of-court settlement of \$300,000 last year after many court cases and finally getting the Supreme Court's go-ahead to sue. The effect of this ruling was that public servants had neither immunity from lawsuits nor an indemnity. The Government's response, included in the 2012 State Sector and Public Finance Reform Bill and based on the advice of the State Services Commission, is to put public servants beyond the reach of the ordinary civil law that applies to everybody else. The Law Commission believes, with considerable justification, that this is wrong. Its president, Justice Sir Grant Hammond, told a parliamentary select committee that the right course would be to overturn the Supreme Court decision and return the law to what everybody thought it was before - an indemnity, not an immunity, for public servants. The Cabinet paper backgrounding the planned law had, he said, presupposed that if officials were grossly negligent, they should never be named as a party or challenged in a lawsuit. Ms Couch's case would, therefore, never have got off the ground. "The lawsuit couldn't be filed because the immunity stops you dead," he said. Nobody wants to see public servants harshly treated when they have been pursuing their duties in good faith. Nor do they want to see them the subject of excessive litigation, much of which has no merit. Unfortunately, the Supreme Court ruling opened up that prospect on the basis that if public servants really were immune, the Crown, itself, could not be held liable through the normal principle of vicarious liability that requires the employee to be first held liable. It can be argued that the certainty of immunity will allow public servants to go about their duties without being unduly risk-averse. The danger, however, is that the flip side of this coin may involve a somewhat cavalier approach to*

*their responsibilities. In more concrete terms, the Government proposal, as well as blocking a legal remedy for those who have had their rights violated, removes the prospect of compensation. Both these downsides would be remedied to a large degree if public servants were **granted an indemnity but not immunity**.*

*This would deliver a type of accountability more appropriate to a modern society. Public servants would have to work with the stricture that they could be held personally responsible in court for any civil wrongs they had committed. They would not be part of what Sir Grant described as a "faceless" public service. The Crown, however, would pay for any costs or damages in civil proceedings when they **had acted in good faith**.*

*The Law Commission is reviewing the 1950 Crown Proceedings Act. The matters relating to public servant liability arising from the Crouch case are more appropriately considered in that context. An issues paper is to be released by the end of June. **The Government should wait for that, rather than rushing to place public servants above the law.***

Mar 22, 2013

Link has since been removed.

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10872760

The problem I have with this all is the myth that there is individual accountability in the state sector... I have as yet to see that really happen.

There has been another trend emerging wherein the watchdog's or enforcers take a view they don't need to do anything. That's why Winston Peters has taken court action against the Electoral Commission. The Pike River families against WorkSafe New Zealand. It seems a lot harder to get the Ombudsman and Privacy Commission to the point they will even accept some complaints at all now. In fact, some of the Ombudsman office judgments have been called into question and found wanting as proven in the case of **Kelsey v Minister of Trade CIV-2015-485-000583 [2015] NZHC 2497**.

Lately, there are a number of bad decisions (*always in the governments or their department's favours*) by some of the Commissions and Ombudsman staff I am hearing about. Some might well be ultra vires but then taking them to Court means they will use taxpayer's money and resources to fight you in which you must pay your own way to get it into Court to start with and none of that comes cheap or easy. The Government has made going to Court costly and complicated to the point that self-representation is harder than ever before. That's another example of a right to justice or appeal being anything but a reality now.

If ever there was a time for an anti-corruption unit in New Zealand to be set up now's it? However, the problem being I don't trust any Government to do that properly based on their track record to date. ***(If you read from midway down page 99 and until the end of page 102 that should highlight what I mean)***

They would underfund, give it restrictive powers or it would suffer from incompetent or grossly inexperienced out of their depth staff that are unable to cope but will not admit it and risk losing their jobs

Or they would get great staff but rather appoint lapdogs and/or puppets who can do the job but rather biased therefore accidentally on purpose erring in judgment for the Government favor rather than public's good. Then if all else fails the appointments suffer from nepotism cronyism. If they do get good staff and the right people they will be hogtied in some way normally. I have seen all of these things happened which amounts to them being shortchanged and ineffective in the long run.

Anyway getting back to the funding/money issues let us not also forget that even the Prime Minister John Key seemed to give a veiled threat that the Human Rights Commission might lose their funding when they seemed to be at odds with the Government. "...it needed to do better if it was to continue to receive taxpayer funding."

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10897315

My point being there is no such thing as a free lunch. Anyone who claims there registration or funding does not in some way inhibit their ability to speak or act freely I have misgivings about. The Human Rights Commission (HRC) has been less keen to take complaints against the Government since then. If the HRC can be brought into line via their funding then NGO's or those in a lesser position better watch out. Our Government might rightfully criticize China over its human rights record, however over the past decade the New Zealand people's rights and freedoms have been slowly eroded away. The way Government departments can bully individuals in any number of ways does amount to suppression in my view. That's why when ACC/IRD got caught out no one was called to account because to do so would show there are very real consequences that might actually curb that kind of behaviour and tactics against its citizens.

The Public don't stand a chance against the Government, or their departments because most things work in their favour, not yours. Even the Cave Creek platform collapse, the Pike River mine disaster and the CTV building collapse inquiries avoided individual culpability under the guise of systemic issues. Let alone the Arthur Allan Thomas inquiries which cleared him but then did not pinpoint any one person/s as responsible to spite the fact they agreed evidence was planted.

Eulogy scripted to praise cop who planted Crewe evidence
Mr Hutton was found by a Royal Commission of Inquiry in 1980 to have planted the cartridge case used to wrongly convict farmer Arthur Thomas of the murders

11:40 AM Thursday, Jun 13, 2013

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10890286

So how come he never got criminally prosecuted for this.

However they did back backtrack on their praise after some public pressure as you can see here:

2014, Police Commissioner Mike Bush apologised to the Thomas family for giving a eulogy at Hutton's funeral saying he had "integrity beyond reproach".

Thomas family consider legal action for defamation

AMY MAAS Last updated 07:15, October 18, 2015

<http://www.stuff.co.nz/national/73013286/arthur-allan-thomas-family-consider-legal-action-for-defamation>

And in the meantime the Police still seemed to get another go at the Thomas which could result in the Police now being sued for defamation.

While it might look like I have gone off-track my point to this is the lengths people have gone to try and get the truth, therefore, real accountability and closure and how the system looks after its own in the meantime at every point.

People should have the right to be safe and treated without fear or favour and if things should go wrong to know who, how, when and why this happened. It's called real accountability something these days that's sadly amiss. . Many inquiries are just a whitewash and I have no doubt this pattern will continue unless the public fail to see this all as gross human rights violations in a very subtle form and demand change.

When individuals within an organization do wrong, the processes of the organization appear to be designed to cover things up rather than investigate. The Church, politicians or Social Services seem more interested in limiting their liabilities than identifying and correcting any problems. Often the offenders are promoted or moved on rather than educated, reprimanded or punished. Rarely given "compensation" appears to be given with the intention of keeping the victims quiet and are not accompanied by a full acknowledgement of the wrongdoings. The systems of the regulators, "watchdogs" and governance seem to be designed to further torment the victims and discourage complaints rather than undo or prevent any wrong doings. The culture of injustice and corruption will continue for years to come while this is tolerated by the public at large and MP's can sidestep these issues. I base this all on 26 years of experience at the time of writing this in 2015.

I also want to warn people about the unofficial trend I see happening as some staff are being very devious and using Social media to try and get people off their back. The staff in their personal capacity often on a fake profile or play on people's credulity they disseminate misinformation that then gets used to target someone they see as having a go at them. They hope this will provide a distraction and discredits the person as well which only helps CYF.

This can happen so easily and unwittingly anyone can get caught up in it more so with the facelessness and easy misinformation can be spread over social media. You might ask how we know this happens and the answer is they overplayed their hand. Some misinformation that was spread was based on lies and half-truths and was word for word from a file that the MSD/CYF held. No one else outside of them or we knew this information that was quoted verbatim on Facebook.

Even information that comes from so called credible sources can still be wrong because they don't always check their facts either. People can be 100% sincere about what they say and believe to be the truth, but that still does not make it any more right if it's wrong to start with. Sincerity does not equate to truth and people can be 100% sincere about what they believe but nevertheless wrong still.

When people wised up to the fact it was not I being referred to in the PANIC FAQ about the blackmailer rather than retract that some people by association tried to claim it was still my group being referred to as they were an admin on it.

My **Child, Youth and family services (CYF) accountability** Facebook group has around 12,000 members. People can see for themselves who my admins are and that speaks for itself if you want to look them up. The reason they tried to associate him as an admin of mine was to imply my group could not be trusted and to stay away from it. However, the ironic thing is my group does not hold client files we give out general advice not intensive casework at all per se anyway. The real reason why they tried to steer people away from my group is because I warn CYF clients to be careful who they deal with and not to hand their files over to just anyone. My Facebook group has had all kinds of claims made about us and some people have inadvertently played along with his.

I think one of the best examples of how people think they are doing the right thing, which ends up being so wrong, is here. A guy was named and shamed on Facebook when a mother thought he was taking a photo of her kids. He was, in fact, taking a Darth Vader selfie.

Mother apologises to man she labelled a 'creep' online (Darth Vader selfie)

10:29 AM Tuesday, May 12, 2015

http://www.nzherald.co.nz/world/news/article.cfm?c_id=2&objectid=11447229

I gather he got a lot of hate mail and threats until a retraction was made. Even then it took some time for that to all die down. Had the woman just simply gone to the police or mall security and the facts established this all could have been avoided. It seems ironic that some people I know who accuse CYF of going off half-cocked or not reading the situation well have many times I have seen done these very things themselves online to many others.

I suggest people read a book by Jon Ronson called **“So You've Been Publicly Shamed”** as it might make you rethink what bandwagon you jump on online in the future. Some people might think I have gone very wide of the mark, but this does tie into the battle with CYF. Some of their staff use this method to discredit those who might dare rise up against them.

Then we have another case here where people latched onto information that was completely incorrect

This next story shows how crazy things can get online from many different angles and quickly out of hand:

'It was a reign of terror': An online troll destroys a family's offline life

JUSTIN JOUVENAL

Last updated 13:49, July 22, 2015

<http://www.stuff.co.nz/technology/digital-living/70442556/it-was-a-reign-of-terror-an-online-troll-destroys-a-familys-offline-life>

I often get people asking me to name and shame others on my groups and more often than not refuse to if it's just hearsay. I generally only put up information that can be publicly verified from a reputable source like the sensible sentencing trust etc.. A third party can also potentially be sued for defamation if they allow something to be posted, even if written by someone else as you can read here **Wishart v Murray.(HC AK CIV-2012-404-001701 19 March 2013).**

I have had people try and set me up that way in the hope my Child, Youth and Family (CYF) services accountability Facebook group would be taken down as a result. Then when I refused to post certain unverifiable information I was accused of not wanting to keep kids safe and protecting the alleged perpetrator. I can assure people from cases I have observed and know about being discussed online how wrong people can be, more so with vindictive ex-partners are involved on either side.

This saying is so very true:

"Make the lie big, make it simple, keep saying it, and eventually they will believe it."

Adolf Hitler

<http://www.brainyquote.com/quotes/quotes/a/adolfhitler385640.html#Dj9iem80i5oMW8mb.99>

Whenever anyone talks about child abusers or wife beaters, most people have a very strong dislike of them so it's one way to very quickly see them become targets of others and isolated.

In fact Winston Peters, a person I have a lot of respect for, said this in reference to another fellow MP.

"He referred to the word ownership and Jimmy Savile ought to know better than that."

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11258446

That's clearly an off-the-cuff comment and might be mischief-making, but it shows how something can start from nothing and become way bigger than intended. Because Winston Peters said it, some people on social media took it at face value and suggested all sorts of unsavory things in reference to the MP this was aimed at.. I won't say what they were because that might just add to the misinformation. Here is another example of how John Key tried to discredit labour and turn the public against them using a similar tactic.

On 11th November 2015, in Parliament:

Rt Hon JOHN KEY: Well, it is not actually easy, because these people—some of them are **rapists**, some of them are **child molesters**, and some of them are murderers. These are the people whom the Labour Party is saying are more important to support than New Zealanders, who deserve protecting when they come back here.

He said that to make labour look bad if that were the people they are going into bat for. However, it's not. It's the people of the lesser charges like having no driver's license etc... If you followed the story about New Zealander's held in the Christmas Island detention centre in Australia this all might make more sense... However, my point was the play on words to get the publics back up against labour if that was the case. There are in fact people in the detention center who committed no crime for the record like Former Lance Corporal Ngati Kanohi Te Eke Haapu, better known as Ko Rutene. Just because John Key says something does not make it true see below:

No Kiwi rapists or murderers on Christmas Island

8:02 AM Thursday, Nov 12, 2015

"There are no rapists or murderers among the Kiwi detainees at the controversial Christmas Island detention centre"

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11544106&ref

People need to be careful what they believe and then share as a given fact as others have been known to pick up on that and take the law into their own hands and act upon it. While the link below is an extreme example it should serve as a warning.

Man wrongly accused of paedophilia burnt alive

12:31 PM Thursday, Dec 4, 2014

Source: **NZME** (New Zealand Media & Entertainment)

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11368825

A lot of people when this was being talked about on Social Media said it could not have happen to a nicer guy given what he was accused of. Then when this was proven to be wrong were horrified but my point is he was targeted, ostracized a then dehumanised based on people's disgust and hatred rather than facts.

It's also very weird how others are so willing to believe the worst of people so quickly online without any real proof or facts to support information. Some People seem to base the accuracy of something by whom or how many shares it's got.

It is too easy to share information and jump on a bandwagon even with the very best of intentions then find out afterwards the information was wrong. I always try and track down the original source and get things verified and if I can't do this will not post it until I am 100% sure it's right when it comes to anything slightly negative or controversial that might impact on others. Your information is only as good as your sources and no one is infallible at the end of the day.

Now back to the original submission:

Tactic 5: Direct attack

The theme of "**private citizens**" or "**personal capacity**" attacking me is an interesting ploy as a Greymouth CYF staff member took video footage of me protesting. The CYF staff member was hanging out the CYF building top storey window during working hours. Another staff member then tried to shoot us with staples. I wanted a copy of the video for proof of this so I asked under the Official information Act for what purpose it was taken, going to be used and where it would be stored. To my surprise this is what I was told:

Bernadine Mackenzie, Deputy Chief Executive, Child, Youth and Family dated **20 JAN 2012** (I just want to add I ever received that letter they claimed to have sent until **August 2012** when I was given a copy)

"The staff member was taking the footage in their personal capacity, using their own equipment. The footage was not taken for Ministry purposes and is not held by the Ministry. I must refuse your request under section 29(2)(c) of the Act as the information is not held by the Ministry. I have no grounds for believing that the information is held by any other agency or Minister"

Some footage appears to have ended up on Facebook with a running commentary before it got reported and removed. Someone also put up a fake profile so it couldn't be traced back to CYF staff to have a go at me. We know it was CYF staff by the half-truths and misinformation they gave out because very few people had enough details to be able to twist what they did in order to have a go at me in that way. If that does not make any sense this is the only way I can see of wording it in order to keep confidentiality and protect others privacy.

Someone also downloaded my own pictures from Facebook then pretended to be me and named and shamed some people. They gave out client information very few people actually knew about outside of CYF and Winz including me which was their downfall with that scam and helped others see through it for what it was and ill-conceived scheme.

They also attempted to add some of my friends and make me some enemies as well via this impersonation. Of course, my friends then alerted me to what was going on. We got that one taken down also, but it's interesting to see how clever/evil and desperate some people got in order to resort to these tactics. Some MSD staff seemed to launch a number of sustained campaigns against me on Facebook and told people not to trust or come to me for help.

They got someone to impersonate a former client to say I was unprofessional and ethical and breached this client's privacy. Likewise, that fake profile got removed as well.

So it appears the MSD don't mind their employees attacking me as long as they can justify it as being **"staff in their personal capacity"** as a **"private citizens"** even during **normal working hours** and possibly at **their place of work and using sensitive client information only held by the MSD to do so**. If the new MSD CEO does not believe any of this could have happen then the better question would be to them, "what's in place to ensure it can't ever happen as I have described?" Just a point a now former CYF employee took the MSD to the employment court over being sacked from something that happened out of work in their private life in which on the web page that talks about his case it notes:

"However, when an employee's out of work conduct impacts on their employer's image and reputation, or on their employer's ability to have trust and confidence in them, the Courts and Employment Relations Authority have signalled that an employer is entitled to take an interest..."

Dated 19 AUG 2011

Follow the web page link below to read more on that topic.

Source: <http://www.chenpalmer.com/news/publications-and-presentations/private-life-not-always-private-for-employees/>

I would have hoped given Brandon Boyle current MSD CEO studied law at Otago University and become a solicitor as mentioned in the MSD own rise-issue-17 (1) he would see the dilemma in this risk of not addressing this kind of behaviour done in or out of work time.

As you should remember me saying while one of the CYF staff was videotaping us protesting another staff member shot staples out the window at the same time. That's how brazen and utterly stupid the CYF staff was to try something like that. I mean for one staff member to videotape the other shooting me with staples is not the

brightest idea. That shows how hate blinds people and common sense goes out the window (pun intended) when it comes to stopping or getting at me. The fact they would do this so publicly is astounding because it shows they did not fear any repercussions and that should worry everyone who deals with them.

The very fact they would do that so publicly should make people wonder what else they are capable of behind the scenes and the lengths they will go to try and get at me and others they deem as trouble for them in any way they can.

In my view the MSD/CYF did not want to release the videotape, by refusing to do this they more or less helped conspire to obstruct, prevent, pervert, or defeat the course of justice. However I believe the MSD slipped up in acknowledging the staple shooting incident after I got the State Services Commission (SSC) onto it which prompted this email to justify themselves.

Email from (name removed) on Friday, 3 August 2012 1:37 p.m. it was stated:

"We have followed up on your comments about the behaviour of the staff member who was dropping staples out of the window while the video was being taken. I can confirm that this activity was seen by the Manager who reprimanded the staff member immediately and appropriately at the time".

Now the MSD finally admitted it happened and I had hard evidence via the email I could now go to the Police given there was no statute of limitations on assault I was aware of?

I should add this is not only very bad and unprofessional behaviour but also at the least "technical assault or potentially a higher charge could be laid... "This is why I believe the MSD did not want to hand over the video recording as it was evidence.

It was also interesting to know the letter I sent CYF under the Official Information Act about wanting to see the video recording also mentioned the staple incident. The MSD answered the video tape request but made no mention of the staple issues in its reply to me on that topic.

It is a common MSD tactic to ignore some parts of complaints and only answer what they feel like. This ploy is common to many complaints made to CYF.

So when they let it slip and owned up to that I took the email to the Greymouth Police station as proof to lay a complaint. Of course, the Greymouth Police did not want to take a statement, which again **favours CYF** and not me, but this email came instead from the MSD as a result of the police trying to broker a deal so I would put the issues to rest they hoped.

"I understand that you approached the Greymouth Police and attempted to lodge a complaint about the staples incident. While they declined to do this they did contact me"

“Graeme, we do apologise for this incident, it should not have happened and - as I said in my note - the staff member concerned was reprimanded by the manager at the time. I also apologise for not making clear in my earlier note to you that the incident was regrettable and that we were sorry”

(Friday, 10 August 2012 4:41 p.m, from: (name removed))

So to be clear that's the first acknowledgment we got in which they had to apologise now they fessed up.

The Greymouth Police refused to look at the stapling incident which is an issue we took right to the Independent Police Conduct Authority (IPCA). The Greymouth Police and the IPCA came up with the same excuse for not wanting to do anything which was:

“I do not propose to debate the merits of a ‘technical assault’ (your own words incidentally). It is evident that the Court would not wish to be concerned with such a matter and on that basis Police should not be required to investigate. It is also apparent that it has been dealt with internally by MSD – who advised you of this. Sometimes it is appropriate to take people at their word, particularly where they appear to be reputable and responsible.

(Case file number: IPCA: 12-0265/DAL)

Judge Sir David Carruthers who is the final port of call for a review apparently agreed and given I can't go to the Ombudsmen I would have to file a judicial review and take the issues to the Court which of course is the police and IPCA domain and would cost me a lot of money to do that.

The comment around **“Sometimes it is appropriate to take people at their word”** was because I asked if the IPCA was aware of how the MSD dealt with the issue **“internally”** How was this staff member reprimanded as far as consequences. The police never asked nor did they know they simply took the MSD at their word on that... So the person got off Scott free or possibly rewarded if rumours are to be believed like happen with **IRD!** (I will explain that later).

The IPCA used **“plausible deniability”** as that's one of the many examples of it in action.

While the Greymouth Police and IPCA said they did not want to waste the courts time with a minor matter but I bet if I was the one shooting the staples they would see it differently. Given it looks like the latest review by former police commissioner Howard Broad of the CYF complaints system might be based on a model similar to the IPCA we can see from this example how well that does not work in my view. If the new CYF complaint system follows the IPCA model we will be no better off than we are now or have ever been.

Is it any wonder reported crime has gone down if the Police will not receive reports on crime to be recorded as that reported crime)?

Some CYF staff also tried to imply I use my advocacy work to gain access to client's children which is odd given most to them are already in care. CYF staff also told their clients that my involvement in a case would only make things worse not better for the families so they best find someone or anyone else other than I to help them. So you can see how CYF tried to chip away to discredit me and limit my audience via my credibility to put people off wanting to come to me for help. If CYF were above board why would they try and do this? The motivation for this I think is CYF seem worried I could catch them out and to wise to their ways and know too much, therefore, don't want me around to help people which could risk me showing their tactics up for what they are.

Tactic 6: Attack the person's source of income

The CEAP in the 2012 report noted I was a client of Work and Income (Winz) some CYF staff started asking questions of some CYF clients I work with similar to "do I take money from clients", "am I in a relationship with anyone they know of", "how can I afford to fund all my traveling and protesting". "Have I ever asked for sexual favours in return for services"? One of the staff, when I questioned them about it, said I got it totally wrong the reason for the questions is to find out "why do all this work and what's in it for me as it's clearly not the money" -Um really! The asked as staff in their personal capacity and as a private citizen as well.

From this, you can see how the MSD employees were trying to undermine me and limit the people I could help or my audience via these tactics.

The questions asked by CYF of clients I believe were aimed to justify and investigation into possible benefit fraud and to get WINZ investigators on my back or my benefit cut to impose financial limitations. Or possibly so they could legitimately justify the shifting and reallocation of resources to openly and officially monitor me in the hope they might find something.

Some CYF staff didn't think I should get a benefit via Winz which enabled me to survive and take on CYF and the MSD owing to not needing to get a real job as they see it. Work and income are part of the MSD and so too is CYF and they forget it's not their money its the taxpayers. Just because CYF are paid by the MSD does not mean they do a better job than I. Of course given the new standard that been set by way of being able to do things as "**staff in their personal capacity or as a private citizens**" I guess they have done nothing wrong then!

I realise I have rights and obligations from being in receipt of a benefit and I don't expect any special treatment. If the MSD want to let their staff treat me like that then I will press on because that's the very attitude and spiteful treatment that first made me want to take to the streets against them many years ago and seem not to have changed 13 years later.

CYF if they found out tried to interfere in any potential relationships I could have had as they tried on two occasions. The first was they interviewed a child of a person I was seeing under the guise of finding out if they were safe around me. That split us up as the Mum did not want to live in fear of CYF doing this because of me.

I can give a number of occasions wherein CYF have told Women if a certain person is in your life we will take your kids because of the risk they pose. I can prove this.

Another time a CYF staff member asked a child how they felt about having another possible daddy. The child spat the dummy and played up merry hell to the point the mum had to make a choice she felt between any potential relationships and keeping the child happy. Now with these two ladies it was purely friendship but looking at moving into a relationship that never happened because of this. They two were not clients by the way.

That's the reason I live at home for now so no one can say anything is going on. CYF will use the **divide and conquer tactics** if they can get away with it. Some Social Workers understand power and control, how to manipulate people play on their fears, and trigger off stuff for people in their subconscious they might not even be aware is happening and that they are being played. Some people don't like to believe this kind of thing could happen to spite the fact it can so easily. CYF have unbridled power and many tricks in their arsenal. This was purely a tit for tat strategy the more I showed them up the more I ended up in the firing line in any way they could shoot me down. One of the staff said if I left CYF alone I would save myself a "whole lot of trouble"

Another CYF staff member found out I was taking some people for driving lesson so questioned my motivation for not charging some of them for this...

They surmised if I had become a driving instructor so I can prey on girls or guys by using the driving lessons as an excuse to get them alone by myself. I had hope that Parliament can see from this all and understand the motivation and see how any action can be twisted by CYF if they have a mind to do this. The result of this rumour mongering was that I gave up taking people for driving lessons.

So now CYF were trying to destroy my ability to be a driving instructor as well as my Social work and advocacy career. Is this what the SSSC think the MSD should be letting their staff do? Is that what you pay them for?

Also read the section on page **192 Chapter Six** about my two job interviews with CYF and mainstream to find out what else they tried...

Tactic7: Using the teens

Some CYF staff again had another go at trying to get at me under the guise of looking out for young people's safety. A CYF worker found a particularly vulnerable teenager that has been abused and oversensitive to the point of being paranoid to enact the next stage of their plan. This teen in CYF care was also highly prone to gossiping, confabulation and has a flair for dramatic storytelling, knowing this to cast them into a role CYF staff asked them.

"Do you feel comfortable therefore safe around Graeme" and has he "ogled you". The teen did not even know what the word "ogled" meant so they asked an adult who alerted me to what was going on. Because a CYF staff member pitched it as a question rather than outright accusation type statement it comes across as a

genuine concern or inquiry. The veiled implications behind the question technically are not wrong. Is it part of CYF job to ask questions which by implication make an accusation? Do they have the skill to know the difference between leading questions or the power of suggestion and or better still how to always follow best practice for interviewing/questioning?

Because some CYF staff also put around misinformation that started off rumours about me that I mentioned in the early stages of this document they already laid a foundation to build on which would now come back into play. Knowing this, some CYF staff suggested this teen ask around to gauge if her female friends heard anything or had any concerns about me. So like the Game of Chinese whispers this youth was unwittingly used as a pawn to spread the speculation. That meant the CYF staff were far enough removed so as to on the surface not be seen behind it all while in the background CYF were being the puppet-masters.

So the youth told her friends, they in turn theirs and before you know it there were about 40 teenagers in unison asking/saying the same kinds of things at school and now over Facebook. They were also attuned to hearing if my name was mentioned anywhere like radars and to report back like spies to the centrepiece. This teen was totally oblivious to how they were being used so I can't blame them for their part in it at all. This then becomes like an echo chamber and gained more momentum the longer it went on.

This second attempt at the character assassination by far did more damage than anything before. Some CYF staff manipulated all of this in a way it got to the point that no one could trace its origins had we not been pre-warned.

The accusation becomes the evidence, the evidence the accusation with no real proof or evidence in sight.

After this document went public via Parliament publishing it someone gave this quote I think it most befitting of the situation:

If you tell a lie big enough and keep repeating it, people will eventually come to believe it. ~ Dr. Joseph Goebbels, Hitler's minister of propaganda

Link: http://en.wikiquote.org/wiki/Joseph_Goebbels

To help out with this smear campaign by CYF a Police officer did a similar thing during an interview with another teen. The police officer slips me into the conversation while making unofficial enquiries on an unrelated matter.

So it soon got around that now CYF and the Police were asking questions/investigating me so there must be something in it! If people only knew half of this stuff they would get why I was being targeted.

This kind of smear tactic can become self-perpetuating. CYF might have set in place the very method to start up a legitimate investigation so they can be seen to be doing their jobs more officially and more publicly in order to get at me again. So either way

in the court of public opinion I lost the battle from the beginning no matter what happens.

While these questions were being asked, there was a flow-on effect so I had to pull-out of all Youth Work as it posed a possible risk for any organisation I was involved with. That's because parents do not want their children interviewed by CYF because of me or anyone for that matter I would think.

One teen told me she felt violated by the questions and that it seemed to her that CYF only wanted a certain answer.

As I said before and seen happen to other besides me in these cases the accusation becomes the evidence, the evidence is the accusation and no real proof needed just hearsay/gossip will do to get trouble swirling around the target.

CYF also went through a teen's Facebook page to see mine in order to note who was on it and used this to try and better target me.

They also suggested to some youth on my Facebook friends lists because I did not have a partner, that has the potential to put me in the higher risk category than someone who is married and has their own kids. Listen to the planting of suspicions via the undertones. The reality is you are in a higher risk category/potential of getting injured or killed on a motorbike compared to a car. If you buy a lotto ticket you got the potential to hit the jackpot and so on... This tactic is very crafty as it sows seeds without really pinpointing anything that can come back to bite CYF if asked. There is a number of ways they can plant subliminal messages for their own ends and sow seeds of doubt to reap the fruit of it later.

In the end, I decided to put a post up on Facebook in which I told people about some of these tactics. Now some people think that was very unwise and in doing so I did more damage to myself than CYF could have ever done to me. Some people saw this post as a kamikaze move and to a point they were right.

This post did not name the individual workers and more a generic warning. Only people on my friends list could see it as it was not public to all. I was damned if I did say something and damned if I didn't. I sadly had to take most of the younger people off my Facebook a few days later so CYF could not use or target them to get at me by trolling. This actually worked....

Some youth wanted to support me and add themselves and all their friends to put me up in the thousands of friends so CYF could not possibly check up on everyone and at the same time sent CYF a message. While I liked the idea I seen it as too risky encase it backfired.

At that time, I also took family off my Facebook page so CYF could not find out who I was related to so easily and have a go at them because of me. I stayed right away from my wider family for their sake. While people might think this was over the top or paranoid I felt it was necessary and the price I had to pay for taking CYF and the MSD on.

Sadly that Facebook post did me as much good as it did bad and I knew that could happen as people who did not understand my history with CYF and their tactics panicked.

There was a string of events and circumstances that as much as I would like to I can't talk about because I need to protect others privacy. Some people decided in light of many things to check-up on me to ensure some teens felt comfortable around me and as I was on stress leave from something to gauge if I should return. I was on a self-imposed stress leave because after 12 years of constant battling, intensive and invasive scrutiny I felt like I was losing the plot and might well have been LOL.

The problem become that something was inadvertently mentioned about a person of standing asking these questions somehow got back to a Social Worker who did most of the things I outline throughout this document and they went to town with it as the saying goes...They said for this prominent person of some standing to finally be asking those kinds of questions proves the rumours might have merit after all. The questioner played right into the hands of those who had been trying to come after me for some time... This created the perfect storm by the way it was mishandled and from here spiralled out of control.

While I accept they had the right to check-up on me the issues were how unwisely this was done. I know people that don't feel comfortable around dogs, who's problem is that theirs or the dogs.

I can fully accept the questions were asked with the best of intentions and no malicious intent was meant but hell the aftermath was epic. With the very best of intentions this friendly fire did way more damage by the unwise way things were handled. Hindsight is a wonderful thing but comes too late.

The issues for me was not about who has the right to check up on someone but rather how and by whom is the best way this is done for all involved. People asking questions in this area need to be highly skilled so issues of suggestibility or possible contamination can't make things inadmissible if they need to be taken further. The road to hell is paved with good intentions and a path best not travelled. Many of the people close to the situation agreed this person was unwise about how they went about things even if to this day they can't see that. I called it a day with them not because of what they did but for the fact they said they would do it again the same way if required and could not see the problem they created in their approach to it all.

However the good side to this, if there is one was getting out of that kind of setting, was way better for all as I don't need to keep looking over my shoulder for CYF next sneaky move. There was a rumour going around that I left town after this which was never true. Still here and not moved or been anywhere since then at all.

Facebook can be such a dangerous place and the simplest thing can go viral and be blown out of all proportion like for example a teen accidentally tagged me into this link and page on Facebook:

I love you with all my boobs I would say my heart but my boobs are bigger

Source : <https://www.facebook.com/pages/I-love-you-with-all-my-boobs-I-would-say-my-heart-but-my-boobs-are-bigger/186809587996534>

From that some people seized on the fact it is as they put it “young girls are talking about breasts” on my page which is inappropriate. When I realised it was on my Facebook feed I took it down but the damage had been done as far as the gossip. If you understand how Facebook works if people like something it comes up on their wall and across their friends newsfeeds at times even if they are not tagged into it so others could see I was tagged into it publically Sometimes it’s the little things that can come back to bite the hardest.

Some CYF staff also tried to suggest something sinister about me having two Facebook profiles the first is here <http://www.facebook.com/graeme.axford> which hit its limit off 5,000 years ago which by the way many members of parliament are on it. So I created another profile which is here <https://www.facebook.com/talk2graeme> and more private. CYF tried to claim because I had two profiles therefore something to hide. The reality is I did not know how to create a group and by the time I worked it out already blow my friends limit.

Not only that if I was going to have a second Facebook profile for more sinister reasons I would hardly use my real name on them both LOL.

If you haven’t already please read chapter 3 about the way CYF see things as it might be helpful to understand how CYF can make a mountain out of a molehill.

The Extortion Tactics of 2012

In the original submission, I used the word blackmail as extortion was unparliamentary I was told.

As a note, I have totally re-written this section as I also mentioned some of the things in Chapter Five but from a different angle so as not to make it seem so repetitive.

I had a meeting with another one of the better Regional Directors on **Friday, 2 March 2012 in Greymouth** and again they asked what it would take to put an end to my protesting. I made it clear to them that if she got some answers to the outstanding issues and to get them addressed that I would co-operate with her to bring my campaign to an end. Resolving the issues would end the campaign and protesting which was the point of it all.

That Regional Director came across as not at all being interested in hearing about the systemic issues I raised with her in regards to CYF. I took along to the meeting my first submission to Parliament to discuss it with her as this summed up most of the things which required looking into. She was not at all interested in this either.

Yet if she listened then sought to address the issues I brought to her the protesting would end. My point in saying this is to show I always attempted other means first and protesting was a last resort. However in her defence I had a strong feeling at

that time the ability to get most of the issues I seen within CYF resolved rested with those above her as I would soon find was the case. I also had the second **Chief Executive's Advisory Panel (CEAP)** hearing coming up so that might also explain why she was not so keen on looking at my case. However, the mismatching being the CEAP does not look into individual staff behaviour and tactics wherein she could for me.

Getting the second CEAP hearing took a long time as I tried from the **12th October 2010 onwards**. The then current MSD CEO Peter Hughes refused to allow that he claimed upon the CEAP chairperson's advice.

That did seem odd because as the name suggests it is the "**Chief Executive's and Advisory Panel**". Mr Hughes could have insisted they hear me for all our sakes.

To overstate the very obvious it's his personal panel and no one else's. Only after many more request and attempts and months of trying to get before them again did I start up the protesting. So it's not like the first thing I did was go back protesting it was a last resort and some of the previous correspondence between myself and the Regional Director John Henderson shows that which I have already mentioned earlier. However Brendan Boyle took over as MSD CEO after Hughes retired and he agreed to me having a second CEAP hearing. I had an agreement with him I would not protest again at least until after they released their findings and possibly not even after that if they looked at the wider systemic issues within CYF. After all is that not what the CEAP was meant to be there for as in looking at the organization rather than individual staff.

That's because the blogs, Facebook and my YouTube channel (user name talk2graeme) I think are better options for getting the points and issues across to the masses then protesting.

I finally got a second CEAP hearing on **21st March 2012** and you will note that's some 18months after first asking.

So the MSD wanted me to arrange a family meeting to receive the second 2012 CEAP report as happen with the first one in 2009. For all the good that did!

However the MSD had an ulterior motive that I was forewarned about. I had an informant within the MSD who sent me a card telling me of the fact I was going to be given a trespass ultimatum that should I start protesting again I would be served with one. They cleverly got someone else to write me a card to present to them when this happened as proof we knew it was coming. They picked someone whose handwriting could not be identified of course. They also sent me a mobile Sims card I was to use up to the day of the meeting then destroy it on that day. They also brought themselves a new one only for this purpose. So I got one phone call and heaps more texts from what I assume were them and a typed letter. That's why the MSD to spite trying has never been able to track who this was down. Not only that there was more than one informant at different levels of their operations who helped me out at different times and still do. I don't even know who some of them are.

Why you might ask because some from within the MSD seen and heard what was really going on and could not sit back and do nothing in the meantime. They told me I was on the unofficial **blacklist** for employment even with NGO's who CYF work with and confirmed it was well known within the MSD about their staffs **Black Ops** targeting me. By that we mean tactics and behaviours I talked about earlier in this chapter.

The informant said the MSD CEO's were unaware of this as they remain to this day in order to maintain plausible deniability. However, they claimed that some CYF deputy CEO's were well aware of this all. Well given what Bernadine Mackenzie said in her letter she sanctioned staff doing stuff off their own back as I see it.

Anyway back to the informants' information. I was told that the General Manager Operations Marama Wiki, now going by the last name Edwards was going to deliver the **trespass ultimatum**. To help that cause it is alleged someone from the General Manager of Client Advocacy needed to add an addendum into the second CEAP report to try and justify this. That's because they did not want to make it look like extortion or they were doing this as payback and to be spiteful as was the case in my view. I am not sure if "extortion" is the right word to use so let me explain the motivation behind this ploy as I see it...

It comes down to this:

You can have support people when we meet with you, as long as this is safe for everyone."

Source: <http://www.cyf.govt.nz/info-for-parents/when-we-visit.html>

Most people assume if issued with a trespass notice that is because you pose a danger or risk to staff or that organisation so it's not at all a good look even if undeserved? If one was served upon me CYF could deem me as unsafe for their staff to be around on or off site.

However if I did not protest again this would not be served I was told. So here is the thing if I was genuinely a risk it should have been issued then and there and the protesting should not have come into it. But the MSD needed to hold something over me in order to get their own way it seems as they were unwilling to do things any different than they already had. So I am unsure if that's considered a form of extortion or blackmail or if there is a better word to describe it.

I made my wider family aware of what was to come as foretold by the informant. So when this meeting took place in Greymouth on **Wednesday 29th August 2012** we were all ready for it. The second CEAP report was of course in our favour and the apology as expected given. So far so good and at that point it was accepted until Marama issued the **trespass ultimatum**. In one breath to apologise then in another threaten me with a future action to me and the rest of my wider family present invalidated the apology. In fact, it only added even more insult to injury...

We found that unacceptable more so given this was the very persona and modus operandi I faced way back in the early 2000s onwards but this time it was coming from the very top of the MSD/CYF itself.

.

This was like déjà vu all over again as they also hijacked the first family meeting back in 2009 when we received what should have been the first and last **Chief Executive's Advisory Panel** report.

I think that Marama realised we were expecting the events to unfold that way by our lack of reaction when the trespass ultimatum was delivered. You see CYF sometimes provoke people in the hope they can turn it back on them. Read Chapter five if you want to see what I mean by that.

So I then presented them with the card as very clear evidence I had been forewarned of what just transpired. There was no doubt their plan had been sprung but they then still went with it and actually could not care less about that anyway in our view.

However there was a problem for the MSD/CYF they needed to overcome and that was this from the CEAP report:

“His most public complaints generalise across Child, Youth and Family”

“It is to his credit that he has not publically targeted individual social workers”

However that statement I believe posed a very big problem for the MSD. So they had to come up with a rebuttal to counteract that by adding this into the report:

“Addendum dated 18 May 2012. Dr Angus was contacted on 18 May 2012 about this statement. He advised that the Panel was not aware of allegations that naming individual Child, Youth and Family staff was part of Mr Axford's megaphone address outside the Greymouth Office. Dr Angus was happy for this inaccuracy in his report to be brought to the Chief Executive's attention”

This is my theory of why I think they tried that on:

If I had received the report without raising my objections to that addendum I could be seen as agreeing with it don't you think? So if they got away with being unchallenged at that point it would have been very difficult for me to then do so later. I am sure they hoped I would simply let it go rather than take the issues up given all the hassles we already had to this point. This all did seem like the never-ending story and rather exhausting. I really did want and end in sight however but was not just going to give up that easily.

After a so-called apology, I was then threatened with a **trespass ultimatum** that if I started up the protesting again I would be served. Now to go on top of that untruths about me were put into to CEAP report as well. I don't think they could have stuffed things up anymore if they really tried.

It became clear that meeting was for the benefit of MSD/CYF rather than ours, the family who was the injured party in all of this.

However, I wanted the MSD/CYF to front up with the evidence to support that **Addendum** as I recorded most protests and/or had a witnesses present so if they

gave me the day and time we could check up on if that actually happened. Strangely enough, they could not prove this so that addendum was removed from the CEAP report. I should also add when I went back before the CEAP as a support person with someone I had that personal agreement with that client to thank Dr John Angus in front of them in which it was reiterated by Dr John that **Addendum** was still believed to have been untrue.

So it seems the MSD/CYF are happy to write stuff up that's simply untrue in order to make others look bad and come across as being the problem rather than the MSD who really are the problem for themselves in all this. I gave the MSD/CYF many opportunities to seek peace, but they always went for the war option and then wonder why it did not work for them against me. That really is the very definition of insanity which is for their benefit "doing the same thing over and over again and expecting different results."

Here is the really ironic thing is I was not going to go back protesting again as I had other options but at that point decided to continue my campaign and protesting as CYF were never going to work with but rather always against me.

What really convinced me to go back protesting was the informant told me a letter had been written that was going to be given to me that contained yet again more untruths? The only way I was going to get it was to go back protesting. Given they had been right about everything to this point I figured why not take that risk. This informant was very clear on the game plan that the MSD come hell or high water wanted to destroy my ability to work with their clients even on an voluntary basis. Remember that point and let's see how this all plays out.

Now some people have said well, in that case, I brought being served the with the trespass ultimatum upon myself when it need not to have happened. The fact is the protesting works and that's why they did not like it and here are the advantages of the protesting being used when needed.

First it got their staff talking and, in fact, some of them would contact me afterwards with information.

Second it got the community talking in the area we were at and always produced information about what was going on in that area via Facebook messages, emails etc. even if sometime later.

Thirdly, I used it to gain momentum for the Petitions I had going which was the main reason for doing them.

Fourthly there was too much **slacktivism** and as that's a relatively new word for some people here is what it really means:

Slaktiviz(ə)m/
Noun informal

Actions performed via the Internet in support of a political or social cause but regarded as requiring little time or involvement, e.g. signing an online petition or joining a campaign group on a social media website.

"Such email alerts make slacktivism easy"

The downside to it was the time and money and all the gear needed I don't think made it cost effective or anywhere near it.

It also meant the MSD and, in fact, others tried to portray us as a radical fringe group of activist that like to cause or make trouble and break the law. None of that is true I am a patriot and Human Rights Advocate who exercises the only form of civil disobedience within the law which is the right to protest about any issue I feel strongly about. No one at any of the protest I have arranged has ever been arrested or that I am aware of we broken any laws. That is a fact to date.

Some other so-called support and advocacy groups who are trying to keep on the good side of CYF also criticize our protest and efforts as well. But that says more about whose side they are really on as what we do has no impact on them. They could simply say nothing and get on with their things rather than PANIC over what we were doing.

So after complaining to the MSD about how we were treated and after pointing out, under those circumstances, we don't accept their apology I went back protesting on **28th September 2012**. You will note I waited for a month before doing that in the hope they would see sense.

So on that day I got served with the trespass notice only. I was, of course, disappointed no letter come with it and thought damn maybe my informant got it wrong for once. But I had a feeling to hang around longer as this was at odds with what the informant said was meant to happen.

So far they had been right about everything to date so I never had any reason up until now to doubt them.

However some 20-minutes later Brent came down to give me a letter which he said should have come with the trespass notice. That did make my day as that was what I was after. The letter that accompanied the trespass notice is very clear on its intent to stop my advocacy work. He was clear that this instruction to give me this letter come from head office who had been talking to about it on the phone today (20th Sep). They confirm the letter was meant to have come with the trespass notice it was no mistake and premeditated. Brent apologised for the muck-up. I have three witnesses to all of this... Keep that in mind as how Alison McDonald will explain things later are at odds with that.

The key points in the letter are:

Your manner was **abusive and intimidating towards** Child, Youth and Family **staff** at Greymouth Child, Youth and Family Office,

As a result of your being subject to this trespass **notice you will not be able to deal personally with the Ministry of Social Development staff**. In order to do this without breaching the trespass notice you will have to consider appointing an agent, acceptable to us,

however to facilitate your communication with the Ministry of Social Development your file is being transferred to the Ministry's **Remote Client Unit (RCU)** who will communicate with you shortly. In future any communication with the Ministry will be through the Remote Client Unit.

General Manager Operations Marama Wiki

Now hang on that was the very aim the informant warned me about how what were trying to achieve from the onset. They wanted to deem me as unsafe so I could not interact with any MSD/CYF staff personally.

Now if there was any doubt about this then let's look at what the RCU does or is for.

Remote Client Unit

The Remote Client Unit has been established to provide an avenue **for clients, who have been assessed as posing a high risk to the safety of Ministry staff in Service Centres nationwide**, to continue to access Ministry services. If a client has been referred to the Remote Client Unit please send any reviews they may lodge through to the unit to manage...

Version 5.1 April 2012 administration page 5

Source www.msd.govt.nz/...msd.../v5-coordinators-information-pack.doc

Now the insanity of this all is had they not tried these kinds of heavy-handed and dishonest tactics before and where did that get them?

One of the CYF staff, when they heard about this, said now you see what we have to deal with head office is incompetent which makes everyone's life harder as a result.

I again asked for the evidence to support the claims in that letter and got this email in response in:

Subject FW: Complaint about MSD & CYF using the trespass Act to end my advocacy work....

"Good morning Graeme

I am just writing to apologise for the letter that was unfortunately given to you along with the trespass notice. This letter should not have been given to you. It was **incorrect** and unnecessary. I am very sorry on behalf of the Ministry for this and for the distress caused to you.

Just as point while they use the word incorrect it was an outright lie yet they go away with yet again.

You were issued with a trespass notice in respect only of the CYF site in Greymouth - you are not trespassed from any other MSD building. Unfortunately I did not know that the trespass notice was going to be issued to you or I would have clarified this for you at the time and checked out the letter issue. You are not banned from advocating for complainants to the Chief Executive's Advisory Panel, nor are you banned from Work and Income sites. I reiterate that there is no campaign to remove you from working for the people that you advocate for.

Please can you just destroy the letter?

Apologies once again.
Best wishes

Now does that all not seem at odds with what the informant told me was going to happen before it did and then followed as they explained it would. So given everything the informant told me had come to pass who would you believe them or Alison McDonald explanation of it all. Also, you will note they did not withdraw the actual trespass notice at all.

Their attempt to deem me as unsafe therefore, as a result, unable to deal with any MSD staff would have greatly hindered my ability to help people going before **the Chief Executive's Advisory Panel** as well. I had already been banned once by Michael Wintringham (Alternate Panel Chair) on 27 October 2011 a day before the hearing. What a coincidence and the reasons he gave were contradictory as well as you can read more about that in **Chapter Five**.

However in another about-face I was allowed to support people before the CEAP after that case was heard. I no longer go with the complainants before the CEAP for their sake as I work behind the scenes so the MSD now have no idea who I am working with which by far has proven to be the best thing for us all under these circumstances as imposed upon us. However what this does prove is if they could get away with it how the MSD/CYF tries and gets the good advocates and support people side-lined for their own benefit and a hindrance to the complainants getting a fair go. I am far from the first person this has happened to as it's another way the MSD/CYF try to manipulate things so they get the upper hand. The fact the MSD/CYF recommends a group might not be a good sign for you and work better for them as a result.

In one of the emails over this debacle the MSD stated:

"The staff in the Greymouth office have been very distressed by your protest actions in the past and you have consistently raised the prospect of your resuming such protest action".

That was the point so as to give the MSD plenty of time and warning in the hope they might get things sorted so I did not need to return to the protesting. I bet they say they seen this as a threat rather than the extending of an olive branch as the saying goes. I do intend on returning to the protesting after this book is published until such time as the MSD/CYF comes to the party. The MSD/CYF might think I am out of options far from it as a failure to plan is a plan to fail.

However I pointed out to the MSD the informant told me of the plan to get me out of CYF way which I had them up about and got this response:

"We think it is very unfortunate that you have interpreted our action as a threat and a means to prevent your advocacy. This has not been our intention"

Fri 3/08/2012 1:37 p.m.

It should seem rather amazing that after all of this the MSD is trying to now claim that was not "our intention" because there is no other reasonable explanation. The fact they could try a bluff their way out of this should seem extraordinary given it so blatantly obvious. The fact they could try this charade shows a total lack of integrity. Adding to the mounting evidence, I also got a second email which states:

Subject: RE: Complaint about MSD & CYF using the trespass Act to end my advocacy work.... **Date:** Tuesday, 2 October 2012 4:33 p.m.
Good afternoon Graeme

Thank you for this note. I do appreciate that you will have got a mixed message from this and that is really unfortunate. The fact is that we re-thought the issue of the scope of the trespass notice quite some time ago because we felt that it was only the Greymouth staff who were being concerned by the protesting, and then there was the issue of the impact on your advocacy for the Chief Executive's Advisory Panel. Following a discussion about this CYF decided that they would limit it to the Greymouth CYF site only. This was obviously not conveyed to you and I am really sorry about that.

Now, I need to be really clear - the trespass notice itself is the only document that you should have received. That document trespasses you only from the Greymouth site of CYF - you are not trespassed from any other MSD building. Please destroy the letter that you got, it should not have been given to you and should have been destroyed when the new trespass order which referred only to the Greymouth site was obtained. This trespass notice was obtained so that we could ensure the wellbeing of our staff at the site who become upset by your protests.

Once again, I apologise for the error and for the confusion and concern that has been caused to you by this.

With best wishes

But here is the thing they can't explain their way around as much as they might try and hope we were stupid enough to believe them. How does trespassing me in any way help the staff's wellbeing or minimise the impact of the protesting as head office sees it? In fact, it has totally the opposite effect as it would free up my time to do more protesting if I am not helping people with CYF issues...That was the main reason I could not protest as much as I would have liked to because I had too many people to help and could only do one thing at a time.

If head office in Wellington wanted to "*ensure the wellbeing of our staff*" then **why don't they try and sort the issues out for their staff that caused me to protest in the first place.**

So just to again reiterate the issue, which is posed as questions to the MSD they still have not answered to this day:

1. How does any trespass notice effect my protesting in any way?

2. How does trespassing me help the staff's wellbeing given I don't protest on MSD premises?

3. Does the trespass notice affect my ability to support people on MSD/CYF premises in Greymouth?

While I think the answers are self-explanatory I would like to hear how the MSD spin that. The fact they did not really address this question says it all in my view.

So let's be clear here about what has happened in case you are confused. CYF rescinded the letter and apologised but not the original trespass notice. So to me that does not seem like they are that sorry to only half do the job. To retract the letter which was the basis for the trespass notice but still leave the trespass notice active that should never have been issued on a false premise just doesn't cut it with me.

It looks like a sort of backtracking or about-faces to me without trying to be seen to do so.

If the Greymouth staff has not got the guts to tell head office that enough is enough get it sorted make peace not war, then in my view they are fools to themselves. While head office is more than happy to let the local CYF office see me as the enemy, it's, in fact, their own organisation that has the problem.

Now the fact they stated "***that we re-thought the issue of the scope of the trespass notice***" acknowledges the original intention of banning me from all MSD buildings. It was planned rather than just happened...

I think the MSD tried to misuse the **Trespass Act**, as a **de facto Harassment Act** against me. As people suggested to me the other day about my protesting, some within the organisation might find the truth very intimidating when it comes home to roost and it's found wanting time and time again.

As someone put it on my Facebook it's me and the public that need protecting from some at the local CYF offices not the other way around.

Now they again backed away from trying to stop me from supporting clients at MSD meeting because the Greymouth manager in response to what I said mentioned this:

Graeme as I have said my staff are not scared of you as a person, in fact some of my staff have said your presence at formal meetings has been helpful. The prolonged impact of your protesting on my staff has had a psychological impact by way of staff feeling uneasy, and at times anxious. Examples of this are where staff have come back to the workplace after being out and have chosen not to park the car as they did not want to walk past where you have been protesting. Because our community is small, staff have felt **intimidated by comments made by others in direct response to the protesting**. However my staff and I acknowledge that you have not protested for some time now and that, has, from our perspective been a good thing.

Email dated Tuesday, 2 October 2012 4:47 p.m

You will note comments not made by me but rather others yet that becomes my problem, not theirs. This all seems a little off and back to front for me and given I think that way owing to being dyslexic I still don't get it. What about the **"prolonged impact"** of what some of the CYF staff were doing to me as described throughout this book. What about the families, who are bullied, lied to for which nothing becomes of their complaints about this except the staff involved up the ante as a result of the complaints? If the MSD/CYF could control some of their rogue staff I bring to their attention we would all be better off and none of this would be happening... It's the MSD job to control their own staff rather than me and the sooner they get that sorted the better things will go.

In this last section, I am going to cover why and where I think it went wrong and what could have stopped the rogue staff if anything.

The people in the positions of Deputy Chief Executive of Child, Youth and Family followed by the General Manager of Client Advocacy in Wellington have failed to do the right thing and get this sorted for the MSD CEO and I. if anything and much worse than that they have overtly hindered progress.

The Regional Directors of which there have been quite a few and all site Managers have allowed or even supported this carrying on bar one. I put it down to this simple fact that the tail is allowed to wag the dog. This disconnection between all these people and inaction caused my dealings with CYF to worsen rather than improve over the now 15 years. I think if either Peter Hughes or Brandon Boyle and I sat down together and bypassed all those people who stuffed it all up within half an hour we would and still could come up with a way forward that's a win-win for everyone.

As long as it's deemed acceptable by the CEO's that CYF can act as **staff in their personal capacity or as private citizens, then partake in actions while on the job but not as a result of any direction or instruction by their organisation so that part can be retrospectively seen as none work related** these problems will continue.

While Staff can get access to people then collect or share client's personal information they otherwise would not be able to get if they were not employed by the MSD/CYF that gives them opportunities to misuse it all if not carefully managed. When employees while on the job can use their own personal smartphones to audio record meetings so as to bypass the Official Information and Privacy Acts, that's hardly going to foster real accountability. Let alone using their own personal notebooks or diaries rather than work ones for this reason as well. This is dishonesty and them trying to cheat the system for their own ends or that of their organisation for whatever reason is not good enough. The MSD have given the CYF staff too much rope and the CEO's need to enforce the highest standards of integrity rather than allow them to be lowered as I have seen happen over the years.

The reason why a lot of people in the know about the kinds of stuff as described throughout this book will not speak out is because the cost in doing so by far outweighs the benefits. To do so would be equal to being hoisted by your own petard and career suicide or going on a kamikaze mission. Someone at CYF called me a

martyr and my campaign against CYF equal to a jihad. I am not sure if that's a compliment or insult and toward whom.

Those (MSD) who control the funding, therefore, monies have the biggest influence over most things that rely on this to keep functioning.

Funding can be cut if you don't go along with what the MSD want. I know of a group that claims to advocate and support people with CYF issues and while they don't currently get funding off them at the moment I have been told they write letters of support to help their case to secure funding. So there can be something in it for some Non-Governmental Organisation's to toe the line even at arms-length.

I say monies because if you have gone into debt via a student loan or mortgage the last people you are going to want to piss off is the MSD if you want a future social work career anywhere within New Zealand. If you rely on their funding to keep your organisation going, you are hardly going to rock the boat...

The MSD/CYF are meant to follow the **Standards of Integrity** as per the **State Services Commission (SSC)** guidelines by then it up to the CEO to implement them or not. Then if the MSD/CYF staff who are actual Social Workers we have the **Aotearoa New Zealand Association of Social Workers (ANZASW) Code of ethics**. If they are a registered the **Social Work Registration Board (SWRB) Code of Conduct** as well... If the staff involved in my case had of lived up to any one of those most of what happened to me would not have. So spite scathing report (June 2013) into the CYF complaint system by Howard Broad review if the staff have of adhered to even the Standards of Integrity most of what I had to endure never would have happened in my case.

Having a good complaint system being qualified and professional will change little in CYF without them living up to the Social work ethos those codes cover. The SSS, ANZASW and SWRB will do you not good as happened in my case if the people within those systems are more of the problem than the system itself being broken.

Now that's really it as far as explaining what I can about my case as it see it at this moment. Some people have asked me if my cause is isolated and just the odd staff members going rogue. The way the office politics were at the time did not help, but the organisations inability or unwillingness to control their staff was by far the biggest contributor.

CYF Greymouth also went after **Andrew McCarthy** locally and to do that they reopened an already investigated incident. They told some people he has done this kind of thing before in the hope the tide of public opinion would turn against him. As usual Facebook was awash with misinformation being fuelled by some staff involved with the second preliminary investigation.

As an example of what I mean, one CYF staff member was overheard saying "Catholics have a habit of covering up for this kind of thing and protecting their own"

They come after Andrew because he helped someone out who had CYF issues and this person win party becausehim. So CYF went on a fishing expedition and which resulted in these articles being written.

"Eccentric teacher subject of 'witch hunt'

Last updated 05:00 16/12/2012, by TONY WALL.
<http://www.stuff.co.nz/national/education/8085909/Eccentric-teacher-subject-of-witch-hunt>

"Tonsil-test teacher charged with indecent assault"

Last updated 05:00 06/01/2013, by TONY WALL.
<http://www.stuff.co.nz/the-press/news/8147361/Tonsil-test-teacher-charged-with-indecent-assault>

'Hysteria' behind child abuse charge"

Last updated 12:26 08/09/2013, by TONY WALL.
<http://www.stuff.co.nz/the-press/news/west-coast/9140221/Hysteria-behind-child-abuse-charge>

The Greymouth Police also tried to get Andrew on a charge of assaulting two police officers, with a wheelbarrow as well. All charges were dropped and does that not really say it all.

Then we have another article by Tony Wall from the **Sunday Star times** titled **"Touching slur leads to defamation case** "involving Johan Aarts a Barnardos counsellor who CYF also went after with the help of the Police it seems. The Police had the link removed as their case was before then court back then. However, you can read more about Johan's case on **page 78**.

CYF actions in these case have less to do with keeping Children and Teens safe and more about revenge but to say too much would put others at risk of being targeted again until the system and people change for the better and it becomes safe to speak out?

The one thing I want people to keep in mind is the disproportionate amount of everything going against me. They had safely in numbers endless resources and any number of people such their own peers the Police, Greymouth counsel to set upon me. They are better resourced. Most of them are well educated and I am not. Then the individual staff could hide behind their organisation. They behaved more like the mafia taking pot-shot at me from behind the fortress that is the MSD itself.

Chapter Five

Child, Youth and Family (CYF) and I, their portrayal and who's reality!

Within this document, I am going to look at my campaign to which the aim is to bring about accountability for **Child, Youth and Family (CYF)**. How both CYF and their oversight being the **Ministry of Social Development (MSD)** have portrayed my attempts at this compared to that of others. The MSD has put a number of comments in writing to this end and why I am going to use them rather than disputable hearsay.

Then you can come to your own conclusion based on what's a matter of record.

The point of this is to prove how biased the MSD has been towards me in their own words therefore while I remain dissatisfied about many issues I have with them which remain unresolvable to date which never have to of been the case.

What the MSD say about me and how they treat me does give insight into their own perception and motivation towards me.

If I am friend or foe might alter their ability to help or hinder me in many ways towards resolution. As the saying goes "**the best predictor of future behaviour is past behaviour**" so with that in mind let see what has taken place over the years.

I just need to give **context** to this all as I dealt with CYF in **three different roles**:

First, since about **1989** I was an advocate.

Second CYF uplifted my wider family member in 2000 so logically having the experience was elected to help with them in regards to that.

Thirdly I become a qualified Social Worker in the **mid-2000s** and not long after that started my campaign for true accountability full time in early **2006** and still at it now.

Just as a side note between 1989 and up until 2000 I saw some seriously unprofessional and unethical behavior that I started to question from then on which still continues. Some staff took that very personally, therefore, turned their attention towards me from then on.

So by the year 2000 we were already having many issues locally. I started my first Petition (*follow the link in the reference section*) seeking real accountability around 2006 but it never got handed in because the MSD circumvented that by finally bringing in their first attempt at an official complaints' system around 2008/9.

If you find that unbelievable that no actual complaints system existed before then go to the **reference section** and read **the Hoard Board review of June 2013**. Or find my document called, "fair go or no show" that summarizes this and covers what he was not allowed to because of restrictions placed on him via the terms of reference and the Minister of the time Paula Bennett.

In regards to my wider family I was the first person ever to go before the newly formed *Chief Executive's Advisory Panel (CEAP)* in **2009** in which they stated:

“He articulated the hurts and misunderstanding as he saw them, in that had accumulated over the eight year period. In his statement Mr Axford was objective and gave praise where he felt it was due as well as the specific criticisms that form the basis of his complaint”

Source: First CEAP report, 19 March 2009.

So, in other words, I did not go in guns blazing with hellfire and brimstone and tried to be as balanced as I could and support my views with some resemblance of evidence or opinions I felt were valid. Clearly it worked as they upheld most of my complaints that were within their jurisdiction. So many complaints they were unable to hear owing to their **terms of reference** as written by the MSD to limit the CEAP abilities and focus.

These unheard complaints have not been addressed by the MSD or CYF to date for that reason of their own creating even now. Please remember to this point CYF had never upheld any of my complaints so from **2000 and until 2009** they never acknowledged they did wrong.

In fact generally speaking in my role as an advocate and support person for CYF clients from 1989 onwards CYF rarely ever upheld anyone's complaints during that time which was my bigger concern overall.

However in my case the CEAP upheld most of my complaints of those they could hear and made some recommendations. So we met with CYF on **Thursday 4 June 2009** to receive our formal apology and come up with a Family partnership agreement with them.

However, that agreement did not last long and by the middle of 2010 was null and void by CYF inability to follow through on things. In fact, some CYF staff said I might have won the battle but not the war. They also said a lot more than this, but that's enough said to show you their defiance and attitude toward the process and me.

After the CEAP processes I realized no improvements resulted and if anything some staff got worse knowing they could avoid accountability and consequences for their actions. They could do no wrong even when they were.

So I then took the MSD/CYF complaints system to task via Parliaments **Social Services Select Committee (SSSC)**. From that transcript **dated 3 August 2011, Petition number 2008/121**. They said this about me.

“Thank you for being so passionate. Thank you for caring about the kids in our society, because people have to stand up for them, and you've done a very good job here today. So go away, and you've put your very best foot forward for us. So we've got a lot to talk about. So thank you very much for caring”

So again that is good feedback and they can see the issues go wider then my case and I am trying to get changes for the greater good of all not just myself.

In brief, the SSSC found the MSD/CYF complaints system lacked **ultimate complaints satisfaction** and the **CEAP was not truly independent** of the MSD who run them and CYF anyway.

Now after the Select Committee hearing I called into the MSD head office to hand deliver a letter and get it signed and dated to say this was so. That's because the MSD refused outright to acknowledge my repeated requests over many months for a second *Chief Executive's Advisory Panel* hearing. Therefore this followed:

Over and above that Mr Smith is aware that you have recently appeared before the Social Services Select Committee. In that regard Mr Smith has advised that the select committee process would need to be completed before the Panel could consider any further request you may have.

Mel Smith Letter dated 8th August 2011

Many people believed had I failed at the Select Committee I would have been done and dusted. The MSD used the waiting for this result as an excuse to stall things again.

However during all of this CYF not only went back to their old ways but also did something we did not think was possible. The main perpetrators got far worse towards me and others who complained about them and become even more vindictive than before.

So after the MSD trying to do everything they could to avoid it I eventually got another hearing before the *Chief Executive's Advisory Panel (CEAP) again in 2012*.

That was owing to the breakdown of the 2009 family partnership agreement with CYF and them not following through on the CEAP recommendations.

The fact I ended up back before the CEAP a second time really says it all about CYF. Had it not been for the MSD stalling tactics I could have been back before the CEAP in late 2010 possibly?

During the CEAP 2012 processes, they called two senior staff on behalf of CYF to speak separately from me but on the same day.

This next section is interesting as I had to go to the Privacy Commission to get this summary released. In other words, the MSD/CYF never intended for me to get it and when you read it will see why as it is contradictory to what the MSD later goes on to claim about me to the **Social Services Select Committee** and others.

Summary of interview with the Regional Director Southern, and Operations Manager Upper South, of Child, Youth and Family:

“While Mr Axford is positive about some social workers, a good advocate and polite, engagement with him can be challenging for Child, Youth and Family and at times impacts on staff to the extent that some staff don't want to leave at lunchtime.”

The lunchtime thing is referring to when I protest outside their offices....

“Child, Youth and Family explained that Mr Axford has social work training and described him as having ethics and standards. Mr Axford has knowledge around Child, Youth and Family's business and Child, Youth and Family understands he is trying to make it better. Unfortunately, the mechanisms he uses have more of a negative effect than a positive one.”

David Shanks Deputy Chief Executive Corporate and Governance
Dated 4th July 2013

The mechanisms are referring to the protesting and blogs and Facebook campaigns.

Now that's the first time CYF itself ever gave me any form of positive feedback in writing or at all I can remember until that point. The MSD was forced to hand this over and did not do so willingly let us not forget. So in now **13 years** and up until that point the MSD in no way had been positive towards me.

These next quotes are taken directly from the Second 2012 Chief Executive's Advisory Panel report.

31)Mr Axford was well prepared. He substantiated his points with the use of detailed evidence and analyses of the responses he had received.

Again to spite the fact this was the second hearing and the first 2009 CEAP recommendations were not followed by CYF some might say I had every right to be a little more than annoyed so let's see how that was perceived.

22)...The Panel noted the considerable energy, skills and knowledge Mr Axford brought to bear in addressing the injustices he perceived...

Yes, it sure did but CYF doesn't see it that way at all over the many years.

32)The Panel also noted Mr Axford's conclusion that 'all of this' (protesting, complaining etc.) was related to his common concern with Child, Youth and Family about how children were faring. He said that challenges from social workers that he 'did not know how' or 'was not trained like them' to make judgements about (name removed) caused him to obtain a social work qualification and apply that knowledge in his advocacy work. The Panel accepts that the time and energy he has put in to responding to what he sees as poor quality work and abuses of power by Child, Youth and Family stems from his concern for the wellbeing of children and their families.

So clearly they picked up on the fact I tried not to make it personal which is more than can be said of some of the CYF staff reactions to me as talked about in my main submission (see *link in references*) for my third Petition number 2011/52.

Yes, I have now done three Petitions numbers 2008/121 and 2011/33 then 2011/52 now that actually made it into Parliament with more on the way if needed.

79)Mr Axford has addressed many of his complaints to Child, Youth and Family as an institution. His most public complaints generalise across Child, Youth and Family. It is to his credit that he has not publicly targeted individual social workers⁷....

In other words to spite some very clear provocation and what some could see as justification I tried not to make it personal towards their staff.

You will note the reference⁷ hold that thought as we will get to that soon.

I want to be clear about this I have an informant inside the MSD who foretold what was going to happen at a meeting in **Greymouth on Wednesday 29th August 2012**. This meeting was arranged to receive the second CEAP report.

The informant advised I was going to be given an apology by then Marama Wiki now known as Edwards followed by a trespass ultimatum that if I went back protesting again I would be served which would stop me from entering any MSD premises or dealing with any MSD staff.

That hinders my ability to advocate even voluntarily for CYF clients and how the MSD could get me out the way.

So after the apology and when the when trespass ultimatum was delivered I showed the MSD staff the card at that point that forewarned me about this and my family present also knew it was coming so there was no doubt this forewarning was for real and exposed their underhanded agenda.

The MSD can't get around the fact that someone from within their own ranks gave the game plan away. We were expecting this to be played out as had happened and when this was exposed their reaction was priceless. They were well and truly **Hoist with their own petard**. They knew they had been sprung not that it really mattered because there would be no consequences for them.

I assumed their motivation was payback and because they wanted to try and justify the trespass notice threat the MSD slipped what's next into the second CEAP report to help their cause along a little:

⁷ Addendum dated 18 May 2012. Dr Angus was contacted on 18 May 2012 about this statement. He advised that the Panel was not aware of allegations that naming individual Child, Youth and Family staff was part of Mr Axford's megaphone address outside the Greymouth Office. Dr Angus was happy for this inaccuracy in his report to be brought to the Chief Executive's attention.

The fact Dr John Angus just took CYF at their word and allowed this to be added shows a biased. The local office recorded some of the protests as did I and/or had witnesses. When I asked them for the date and time I offered to go and check as I did not believe this was at all true. In all my years of protesting outside CYF this was the first time this was ever claimed. They did not mention it to the Police who they

often called nor was it referred to in any previous correspondence with me about the protesting or at any meetings I had with them over the years until then in 2012.

I doubt CYF would have let any opportunity slip rightly or wrongly to nail my hide to the wall as soon as they could in real-time. I had to be very circumspect in all my dealings with CYF as they were waiting with bated breath for me to inadvertently make a mistake they could seize upon and work it to their advantage towards my detriment. That's why I find the claims brought raised now so inconceivable beyond my own recollection and that of the witnesses and recordings that don't support the MSD views as well.

The MSD did apologise for this error as well and subsequently that addendum⁷ was removed. But my point is the fact they dared to try it on in the first place.

Before I go any further I need to explain why I protested. Simple answer because it worked. Protesting is the only form of civil disobedience one can undertake within the law to make a point known. I also used them to get signatures for my petitions and as a focal point where to make myself and issues known. It would get people talking and, as a result, I would make many more contacts. I only ever protested after trying to resolve the issues directly with the MSD/CYF themselves. This made it very hard for the MSD/CYF to ignore me as they so often tried to do to me and others who joined in as well. The protesting was the key to my campaign until the social media stuff took off.

So I went back protesting on the **28th September 2012**. That was partly because some staff were goading me knowing I was in a catch 22. I could not get complaints addressed as easily in real-time without protesting and if I did protest I would then be unable to enter MSD premises to help CYF clients if trespassed. But by not protesting complaints were not being addressed properly anyway so I was damned if I did and damned if I didn't. Generally speaking, if the MSD/CYF staff knew I was involved with a case the clients/complainant seem to have got a more fair result. That effect was talked about in the Broad report see link in references.

So as you could gather while protesting I was served with the trespass notice as forewarned on the **28th September 2012**. But that was not all as some 20 minutes later I was delivered a letter that was meant to have accompanied the trespass notice. This letter stated:

As a result of your being subject to this trespass notice you will not be able to **deal personally with the Ministry of Social Development staff**. In order to do this **without breaching the trespass notice** you will have to consider appointing an agent, acceptable to us, however to facilitate your communication with the Ministry of Social Development your file is being transferred to the Ministry's **Remote Client Unit (RCU)** who will communicate with you shortly. In future any communication with the Ministry will be through the Remote Client Unit.

Should you go into or **attempt to enter any of our offices** you will be regarded as trespassing. You will be asked to leave, ^(sic) will Police may be called to remove you and you may be prosecuted for trespassing.

This letter was given 20 minutes after trespass notice on 28th September 2012

To be clear, this ban extended to **Work and Income**, of course, **CYF** and all the **MSD** buildings including where they held the *Chief Executive's Advisory Panel* reviews.

So for those who don't know what the **Remote Client Unit (RCU)** does to be clear about what they are actually meaning by referring me to them:

The **Remote Client Unit** has been established to provide an avenue for clients, who **have been assessed** as **posing a high risk to the safety of Ministry staff** in Service Centres **nationwide**....

Benefits Review Committee Co-ordinators Information Pack
Page 5, Version 6 July 2013 Administration

So from that you can see they deemed me a risk.

Here is what they were trying to achieve with all of this, getting me banned from helping anyone outright as it states here under the heading:

Your rights

You can have support people when we meet with you, as long as this is safe for everyone. Source: <http://www.cyf.govt.nz/info-for-parents/when-we-visit.html>

Ironically and logically being trespassed only ever hindered my ability to help CYF clients and in no way limited my ability to protest at all as I did this on public property, not from MSD premises. In fact, if I was not helping so many clients that gave me more time to protest so has the opposite effect of what they claimed to have been trying to achieve. The MSD as much as they might try can't get around those simple facts.

However the MSD had to AGAIN withdraw that letter as well which you can see here:

Subject FW: Complaint about MSD & CYF using the trespass Act to end my advocacy work....

"Good morning Graeme

I am just writing to apologise for the letter that was unfortunately given to you along with the trespass notice. This letter should not have been given to you. It was incorrect and unnecessary. I am very sorry on behalf of the Ministry for this and for the distress caused to you.

You were issued with a trespass notice in respect only of the CYF site in Greymouth - you are not trespassed from any other MSD building. Unfortunately, I did not know that the trespass notice was going to be issued to you or I would have clarified this for you at the time and checked out the letter issue. You are not banned from advocating for complainants to the

Chief Executive's Advisory Panel, nor are you banned from Work and Income sites. I reiterate that there is no campaign to remove you from working for the people that you advocate for.

Please can you just destroy the letter?

Apologies once again.
Best wishes"

Here are a few things that don't add up about that response. The letter was not given at the same time the trespass notice was initially served. It was some 20minutes later when Brent handed the letter to me. Brent was clear he had been on the phone to head office and they insisted this be done which is why he come back to make sure it happened as ordered by them.

Someone had to write the letter so I have a problem believing the official story about it being done by mistake. Also, the person who said they did not know the trespass notice was going to be served was at the meeting on the 28th September 2012 when the trespass ultimatum was given it would be delivered if I went back protesting again.

The MSD could have ended my protesting at any point by making their staff finally accountable and reining the rogue ones in. By learning from their mistakes and being the best they could be rather than cavalier and slaphappy about issues, people had with their staff.

The fact I have not just one, but now two CEAP reports (2009 & 2012) in my favour clearly shows how wrong CYF got it over all these years in my case alone. Sadly there are many others who have suffered far worse than I but because of privacy issues I can only talk about my own personal experiences.

Some families are too afraid to pursue complaints with the CEAP because CYF told them when they re-evaluate their case that could result in CYF uplifting their children again if proven justified from the start and they currently returned. That to me is evil and abuse of power and the system to imply that and why I will go on with my campaign.

There seems to be a disconnection between what head office think and what's really happening as the left-hand does not know what the right one is doing. I had a meeting at the Jade Boulder Café with the Local manager of the CYF office that resulted in an interesting discussion that seemed to be at odds with everything Head office claimed. I pointed this out to the Manager and head office which resulted in this email:

Graeme as I have said my staff are not scared of you as a person, in fact some of my staff have said your presence at formal meetings has been helpful. The prolonged impact of your protesting on my staff has had a psychological impact by way of staff feeling uneasy, and at times anxious. Examples of this are where staff have come back to the workplace after being

out and have chosen not to park the car as they did not want to walk past where you have been protesting. Because our community is small staff have felt **intimidated by comments made by others in direct response to the protesting**. However my staff and I acknowledge that you have not protested for some time now and that, has, from our perspective been a good thing.

Email dated Tuesday, **2 October 2012** 4:47 p.m

The Manager does not suggest I am unsafe, or inappropriate or in any way myself been intimidating towards her staff.

Now to be clear I really did not want to protest and nor did the local staff. Head office was and still is the problem as they refuse to come to the party even now. There is some good staff in that office and I feel sorry for them having to suffer from this all.

Getting back to the head office theme they are rather crafty at the way they do things and go about them and one could easily miss the subtleties of it all. I will explain what I mean after you read what's below to see if you spot them.

----- Forwarded message -----

From:

Date: Fri, Mar 21, 2014 at 2:34 PM

Subject: Trespass notice

To: "Graeme Axford

Good afternoon Graeme

The Trespass Notice that was served on you, copy attached, was specific to the CYF Greymouth site located at 54 Tainui Street, Greymouth, not any other MSD premises.

The Trespass Notice is for a two year period and expires on 28 September this year. In my communications with you at the time, I advised you that the letter from Marama Edwards that was included with the Trespass Notice **should not have been given to you with the Notice, however the Notice itself was not withdrawn.**

If we decide to withdraw a trespass notice then we do not need to inform either police or Amourguard as their role has been to serve the document only.

However, you will be aware that since this Notice was served on you, CYF's Greymouth office has moved to a different location. As the Notice is specific to 54 Tainui Street, it is no longer valid and would not be enforced by Child, Youth and Family. I understand, Child, Youth and Family are ensuring Police and Armourguard are aware of this.

Thank you

That sort of looks to me like an about-face without actually trying to be seen like one, don't you think?

Why would they not want to withdraw the actual trespass notice along with the letter if it was not going to be enforced anyway? There are a number of benefits to them of having done this which has a clear detrimental impact on me as intended.

When CYF clients/complainants realized I was not allowed to enter MSD premises that worried them as they thought -gosh what had I done? There must be something wrong with me or I am unsafe for that to have happened. It was a real downer.

Therefore would have me involved inflame their situation? So you could see why people went off asking me for help as they already had enough to cope with. It was a subtle way of ruining my reputation, therefore, ability to help people with CYF issues.

So that trespass notice as planned destroyed my ability to advocate for people on even a voluntary basis in person while on their premises.

The fact I was not paid or employed by anyone to help people meant CYF had very few options to try and get at me. I was not beholden to anyone or anything and a free agent in more ways than one. Now here is another reason why the trespass noticed needed to remain and I must admit I missed it until the informant pointed it out as they know this process well, This comes back to bite me here:

FIT AND PROPER PERSON

Information Required by the Board to Determine 'Good Character' Requirements

A request for information regarding previous convictions and any protection, non-molestation, non-violence, restraining or **trespass orders** taken out against the applicant.

It will become a problem when or if I apply to the **Social Workers Registration Board** (SWRB) as the MSD well know. You see if they withdrew the trespass order then that becomes less of an issue for me later on. So by the fact it would not be enforced but was still left in place really does highlight their motivation for having done this in the first place in light of how it was explained to me.

However, CYF tried one more thing and that was to get me removed from helping people during Family Court proceedings. They got people to notify the Court and security guard I was covertly recording proceedings. So I was getting searched and a few lawyers were also told and some judges. However this come to ahead so I made a complaint to the local CYF manager about this and they investigated and got back to me with this response: (I have the substituted real name)

Sent: Friday, 24 May 2013 1:48 p.m.

To: Graeme Axford

Subject: complaint

Hi Graeme

I have looked into your concern regarding what occurred at the family court this week. I have spoken to Tina and to other Child Youth & Family staff who were at court. *Tina* has stated clearly to me that she did not tell the Security Guard you had a camera. Tina stated that you came into the meeting with the client, and on the table by where the client was sitting were a cell phone and a camera that to *Tina's* knowledge was not on. *Tina* did not report to any person in the court that you had a camera on you or that there was a camera on the table as the camera was not on and the camera was by the client not you.

Having checked this out further with other Child Youth & Family staff who were in court, it appears that a member of the public who was also in court spoke to a CYF staff member (*not Tina*) stating that you had a camera in the actual court room. This member of the public was told by the **CYF staff member that if this was the case to let the security guard know.** The member of the public said they would tell the security guard. Alongside this it was **reported to the Judge. From this the security guard was informed to check this out with you.**

Hence my staff particularly Tina did not raise an issue about you and a camera. Staff are aware that you can and will be an advocate for clients in and out of the court house.

(Please note staff members named changed as their real name is irrelevant)

Now here is where it gets interesting. I believe it was the MSD lawyer which yes technically is not a CYF staff member who put the member of the public up to complaining this time. Now the Mother I was with had a Camera as they had access straight after the court hearing and it was suggested by a different Social Worker besides Tina they bring it along for that reason.

I do believe it was a setup designed to give the impression I had no respect for the Court or other people's privacy. I can say for sure I never have even attempted to record anything in any Court or at Family Group Conferences, unlike some CYF staff I should add. I would like to challenge anyone who suggests this to come up with the evidence to support it and take that directly to the Police themselves.

I hope by now people can see the subtle ways they tried to undermine someone and get away with it I should add.

As one of their staff said to me in what I assume was their "personal capacity or as a private citizen" some years ago "don't think you can beat us we got ways and means you could never dream of to get at you". What people might not realize is you don't even need a reason to issue a trespass notice you can because you want to and no justification required. But then again that would have been too obvious.

Here is another example of CYF tactics I decided to add in which was not in the original submission.

I did think it was again ironic that CYF tried to claim I took and used a camera/phone in the court area. Often when people dream up things like that's often because that the kind of stuff they would try themselves. Long before I was accused of using a camera in the Courtroom area this happened to me.

A photo turned up on the internet of me walking into the courtroom alongside someone who was known in the area that had some very historically serious convictions against children. The photo ended up on Facebook with a caption like I help child abusers get access to their kids and here was the proof as I was photographed walking into the family Court with them so it seemed.

Now I will tell you what really happen. Whenever there is a court hearing normally the biological parents are invited regardless of if they are the perpetrator, victim or a totally innocent party... A CYF staff member had their mobile phone handy when I was holding the door open for everyone and just took the photo as the offender walked past me.

Often officials like lawyers and CYF are allowed to walk around the Court with their mobile phones wherein clients or the general public is not allowed to normally. When this went up on Facebook I couldn't defend myself because in doing so would breach court suppression orders as they were in place to protect the victims. A picture might speak a thousand words, but then it's open to people's interpretation about what that picture is really saying or means.

For the record as it was a few years ago and been taken down. The hearing was about the Mother getting sole Guardianship. I have very little say and most of the time no speaking rights during a family Court hearing. Most of my work is done preceding the Court hearing anyway as that's often when the deal is done as far as CYF, Lawyers for the child and other parties. The Court often just basically rubberstamps everything which has both a good and bad side to it. I am aware of many cases wherein CYF have submitted plans to allow child abusers and rapist access or put a child with them by approval of the family court and CYF. I have never played any part in this and nor have I ever advocated for this... Anyone who claims any different is acting on misinformation and there is one way you can be assured of that. Ask the lawyers involved in the cases I helped with yourself. While they can't give out specifics they can comment on my role in cases generally. People often don't believe me when I point CYF often put children as risk so here is one public example:

Man investigated for rape allowed access to CYF child

...Two separate police investigations were also launched into whether the man was abusing the boy, **but no charges were laid....**

...Despite an ongoing police investigation into allegations the man had raped his then wife, CYF allowed him regular access and overnight visits with the boy...

...The man, who was found guilty of rape in August, blamed his sexual behaviour on a rare sleeping condition which gives a person the ability to have sex while asleep...

"...They also made it very clear that my concerns for [the boy's] safety, and the police investigation, **were irrelevant in their decision....**

TOMMY LIVINGSTON

Last updated 17:27, October 15 2015

Man investigated for rape allowed access to CYF child

<http://www.stuff.co.nz/dominion-post/news/72850819/man-investigated-for-rape-allowed-access-to-cyf-child>

Some stuff has been put on Facebook to try and bait me in the hope I will slip up in defend myself if I fell for that and end up in trouble with the Family Court and police in doing so. They also used other to try entrapment and provocation wherein I don't respond as it safer to say nothing and let people believe what they want to if they are dumb enough to fool for it.

Also, read the cases I referred to in chapter eight as well. The point of me saying this is to point out the hypocrisy of some CYF staff and lengths they will go to in order to try and get at me as I attempt to help their clients as they call them.

CYF tried to claim my protesting was a form of harassment yet look at what some of their staff tried to do to me and go away with it in their personal capacity.

Back to the original submission again.

None of the harassment claims against me the MSD come up from 2012 survived scrutiny. To spite the fact CYF called the Police on me regularly while protesting the Police did not mention harassment and CYF failed to mention this to them. Even when John Henderson one of the many regional directors wrote to me it was the frequency (regularity) of protests that were the issue.

Nor did any regional directors or anyone at the MSD/CYF claim to me or others I am aware of that I named/shamed, threatened and intimidated the staff up until we received the Second CEAP report in 2012.

However, on the other hand, the MSD staff was allowed to do what they liked as CYF refused to accept my complaints about their tactics and behaviours. When they did overstep the mark and it was unavoidably provable the excuse was given they acted as **"Staff in their personal capacity or as a private citizen"** therefore nothing to do with the MSD as an organisation.

Meanwhile their employees were allowed to get away with all manner of things as described here <http://www.parliament.nz/resource/0001777929> under the general heading of tactics numbers one to seven. That was not even the half of it as Parliament's rules restricted me from telling the full story as I would have liked... Neither CYF nor the MSD have in any way shape or form addressed those tactics as I described them.

So the question has to have been could I have done things differently and as we were told on Thursday 4 June 2009 by the regional director CYF were sorry apologised and it would never happen again. That CYF took learning's from the First CEAP report. This meeting was when we were coming up with a family agreement as recommended by the 2009 CE Panel. Interestingly they also put in the first agreement for the protesting to end, certain blogs down which I was more than happy to do if they improved. However given in both meetings (**4 June 2009** and **29th August 2012** consecutively to do with the two CEAP reports CYF used the process to try and stop my protesting was that a bad omen. **I mean if they intended to do the right thing I would have no need to protest.** An informant told me it was so.

After all my end goal was to bring about changes for the better had that happened my campaign would be at and end finally some 14 years on.

Then we get to my third **Petition** number **2011/52** in the MSD evidence they state:

27)...His communication with the Ministry on some occasions has included threats

This statement is rather ambiguous as the MSD is an organisation, not a person. While the ministry is made up of people there is a difference between the two as I see it and again play on words to try and make me look bad.

I am not aware of having done that as they claimed, but this could also come down to literacy skills, interpretation etc... By that I mean I told the MSD I would not stop until I get true accountability and justice for all. If that kind of comment was perceived as a threat by the Ministry then they are really being a bit precious in my view.

They did ask how long this was going to go on for and what it would take to end it all. That is where the issues might be they refer to.

The MSD claims really does reek of hypocrisy given all the MSD let the CYF employees do to me as outlined in my main submission for my Petition 2011/51.

However, an informant confirmed the subtlety of that statement has dire consequences for me as they planned. As the MSD is aware I undergo a "fit and proper person check" as part of being a driving instructor, firearms license holder and would need to pass that to also become a registered social worker. That very statement could pose a risk to them all let alone future employers in the Social Work field who deal with the MSD. Some MSD staff had me unofficially blacklisted unbeknown to me for a number of years so I could not even get a mainstream employment placement in a *Non-Governmental Organisation*. *Anyone with half a clue could see how that's not beyond the realms of possibility given our history to date. This next comment is a real stretch of the imagination even for them:*

30) ...citing that he was too busy protesting to take up this offer...

The point of contention was the Social Work field, the MSD wanted me anywhere but there and that is only ever where I wanted to go. If they could have got me a dead-end job for which they said I am more suited that was a win-win for them. That would have meant I could not help families or use my skills and qualifications for which I was best suited. It also meant I would be unable to protest if required because I was working.

The protesting was not the issue because if I was employed within the Social Work field would happily have given that up and tried to bring about the change from the inside rather than outside. You see I am happy to work with CYF even rather than for them and they don't want that at all. They want me as far away for their staff as possible because I don't let them away with any scumbaggery as I call it. Having someone like me around their staff creates problems for them if they get caught out doing things they should not be.

Many people take it that MSD was trying to say I would rather hassle the MSD then Work, anyone who reads that would think that is crazy but for who?

But there is more the MSD is aware I helped get another **Petition number 2011/87** before the **Social Services Select Committee**. However in their evidence they slipped this comment in about me:

21 Ms Needham, despite initially indicating that she accepted the need for a change of support person following Mr Axford's **inappropriate behaviour**, now appears to support Mr Axford's view that the Panel Chairperson's action was wrong.

Dated 13 March 2014

Again another very ambiguous statement does wanting justice and accountability amount to “**inappropriate behaviour.**”

If they read the email from Michael Wintringham he at no point does he call what I was doing “**inappropriate behaviour**” Now here is the thing given Mel Smith refused me a **second Chief Executive's Advisory Panel hearing in 2011** and then Michael Wintringham as well the fact that John Angus agreed to it says how wrong they both were to do so I would think?

Here is what Michael Wintringham actually said:

Hi Graeme

The Panel Chair has asked me to copy to you the email he sent to me today regarding your email of 27 October 2011.

Regards
National Manager, Review Secretariat.

Dear Andrew

Thank you for the message this morning about Mr Axford's recent email message, to a number of recipients, about the forthcoming Panel Hearing on Mrs Needham's complaint.

I have a number of serious concerns as a result of Mr Axford's actions.

First, let me state that my only two interests in this matter are, first, that Mrs Needham gets the full and undivided attention of the Panel so that her complaint is properly considered. Second, I want to ensure that the integrity of the Panel process is maintained. Given its relative informality and “non-judicial” nature, there is a high degree of trust involved in Panel processes – for example that all parties will act openly, with respect for each other, and with an understanding that the overall purpose is to help resolve matters of great sensitivity and considerable emotional import to the complainants.

You will recall that I have been (and remain) supportive of Mrs Needham bringing a support person to the hearing. While not privy to most of Mr Axford's previous interactions with the Department I was aware of two matters of significance as far as the Panel hearing was concerned:

OK I smell a rat, he knows about two issues but no real details then goes onto talk about what they might be. Clearly someone informed him from within the MSD of their version of events as they are not as easy to look up or find as many might think. People are aware of the overarching issues of accountability I seek but not the intricate details as he just mentioned of my own personal situation.

- He himself has a complaint about the Department. I do not know the details but understand that in part it relates to an employment matter and in part to some other dealings with CYF. Neither is nor should be, a concern of this (Needham) hearing.

It was actually a complaint about discrimination and their Equal Employment Opportunities policy which I should add they had to change as a result of me. I also had the outstanding complaint about the Paula Attrill meeting in Greymouth etc...

- Second, and more significantly, he does not consider the Panel, **as currently established, an adequate mechanism for resolving complaints**. I am aware of his submission to a Parliamentary Select Committee, and have seen the consequent Select Committee Report.

I just have to comment on that clearly if he read the Select Committee report of 2011 into my Petition they agreed the CEAP was not adequate. What's more the Howard Broad Review overwhelmingly supports my views as well.

However, neither of these were barriers to his supporting Mrs Needham, **provided that** – and I understand that all along this has been made clear to Mr Axford - his sole focus was in assisting Mrs Needham put her complaint to the Panel (as the Panel is currently established).

You told me that Mr Axford asked if the Panel would provide some time, albeit brief, to hear the gist of his own complaint. I informed you that we would not provide that time.

My reason for wanting to talk with the CEAP directly was because going via CYF was not working again. CYF were the gatekeepers to the CEAP which is still an on-going problem even now in 2014 the Broad report supports this view.

There is a process for bringing complaints to the Panel. No-one should “**jump the queue**”. Part of the process is for the Panel to read extensive background material so that we can interact constructively with the complainant, rather than be passive recipients of a complaint. But, most importantly, this hearing is for Mrs Needham. All participants, including the complainant's support person, should be focussed solely on the complainant and her concerns.

Really jump the queue! Given how long these issues have been going for I could hardly be accused of that. Neither was I actually in the queue to begin with for consideration to be able to jump it to start with. Getting in the queue was the problem and all I wanted resolved. The MSD were making sure I did not get that far again.

I understand that, in Mrs Needham's interest, Mr Axford agreed to abide by this decision, even though he probably did not necessarily agree with the decision itself.

Correct I would have kept my word as I have always done with the MSD even when they have not.

My concerns about Mr Axford's actions today are that, although **he may not have breached the letter** of any understanding that he reached with you, by pursuing his wish for time with the Panel to present his own concerns, **he has certainly breached their spirit**. It does not demonstrate an overriding priority on his part that Mrs Needham has a clear, undistracted, "run", with the Panel.

If I did not "breach the letter" there was no breach at all per se, but they who pays the piper calls the tune... I guess!

I have two other concerns. He is criticising the Panel for not acceding to his wish. That does not indicate to me that he has confidence in the Panel or its processes. And most importantly, by his action Mr Axford has severely undermined my own confidence in his judgement. I now have a concern that he is interested in pursuing a wider agenda than Mrs Needham's complaint, and that matters discussed at the Panel hearing, which are solely the prerogative of Mrs Needham and her family to disclose, may well be used by Mr Axford in pursuit of that wider agenda. However well-meaning Mr Axford may be, that is a risk for Mrs Needham, and for the confidence of other complainants in the Panel's integrity, that I am unwilling to take.

So my interpretation of this is they are worried I might come to know too much about what's going on around the CEAP processes and expose this in another arena for the greater good, but at their expense nevertheless. I don't have confidence in the CEAP processes but given it was the only purported avenue of redress, that's the only place we could go. Mel Smith was well aware of my views on the CEAP when I went before him in 2009 and we got on with it regardless. My opinions on the CYF complaints system and CEAP processes have also been proven right via my select committee report of 2011 and Broad review of 2013.

As Mrs Needham will need time to arrange for another support person, I believe we need to postpone the Panel hearing. In fairness to Mrs Needham, we should offer her another date for a Hearing as soon as practicable, certainly before Christmas and preferably in the next two or three weeks.

Yours sincerely
Michael Wintringham

What people don't realize is I was at most of the meetings with Mrs Needham and her main witness as this was another Greymouth case involving the very same characters who were the main subjects of my 2009 and 2012 CEAP reports. The informant advised me this was all payback for having gone before the Select Committee because as you can see here that the section time a chairperson brought that up:

I was told by an informant I was not getting anywhere as a backlash for having gone to Parliament and the more I did this it would come back and bite me in one way or the other as has happened true to their word.

My point is from the beginning when the MSD made this personal and that's become more than obvious from a meeting I had with Paula Attrill the then regional director in Greymouth on **Oct 12 in 2006** that the more I call them to account there would be consequences for me. Paula is now the *General Manager Operations* who took over from Marama Wiki but last named now changed to Edwards.

Marama ironically delivered the second threat about the trespass notice on Wednesday 29th August 2012 in Greymouth as well. So that must be the calibre of person required for that position which really does explain a lot about how they try to make war not peace with people.

The **Client Advocacy and Review** department of CYF and the Deputy CEO's underneath the MSD CEO should be ashamed of their performance.

These are the very people the MSD CEO relies upon and I might add the main reason why the issues have not been sorted in the right way that brings them to an end. They lack integrity and been totally biased and unfair towards me. When you look at what other people have said about what I am doing and their claims who has the problem is glaringly obvious.

They allowed their staff to target me as long as they do so as "**staff in their personal capacity or as a private citizen**" something that still goes on today in 2014. That's why they never asked Paula Attrill about the threats in 2006 or elected to receive any of my complaints about their staff tactics and behaviours you can read about by following the [link in the references](#).

The MSD unsubstantiated claims continue and why not as they can just keep getting away with it as long as they apologise and continue as they were which time has proven.

Historically I have been proven right over the MSD, two **Chief Executive's Advisory Panel** reports in our favour (2009 and 2012) I have been vindicated by the **Social Services Select Committee** report of **2011** and **Howard Broad** review of the Child, Youth and Family complaints system dated **June 2013**. The MSD staff has held my wider family member to ransom via having to go through CYF to get access to them. Their staffs have abused me tried to destroy my reputation and career as a result of showing them up. Under great provocation, I maintained my decorum even when they lost theirs. I mean anyone who tries shooting staples at someone has clearly lost the plot.

The fact they did it for all their peers to see and while another staff member video recorded it is rather brazen. Let alone the smear campaigns that resulted in me having to leave a Youth group I was at for 10 years without issues until they created them by gossip, innuendo and playing on people's history and fear towards men. I know this to be true as those pawns unknowingly and inadvertently played have apologised for their mischaracterization and misrepresentation sparked by CYF using Chinese whispers to avoid their hand in it behind the scenes.

Then I witness other families being treated poorly by the very same people to which the organisation covered up for them. As a result, I got targeted as per what I outlined to Parliament. My point is none of this was easy and in fact very troubling and frustrating it's been a long 14years. So if I have ever inadvertently slipped up (and I don't believe I have) then the MSD should take it on the chin. I did my very best and then their very worst and for that they should be ashamed. The MSD need to control their staff is the problem as I see it. I believe I have remained more professional then those staff who come after me most if not all the time. Where is the proof I have been anything but professional compared to them apart from their unsubstantiated claims throughout this document I have exposed as wrong.

The MSD need to address and right some wrongs apologise, without any action is not enough.

I have been trying to bring about accountability within a truly independent client-focused real-time complaints system.

This campaign will finally come to an end only when that's all achieved.

My determination is such that I will dry trying and if need be beyond the grave come back and haunt them until or if ever it does happen.

References

This section compares all my three Petitions in order:

http://www.parliament.nz/resource/en-nz/50SCSS_EVI_50DBHOH_PET3145_1_A330431/25352bd6868ace32b803e9b0d83abdde87597fa5

Graeme Axford's Case Introduction:

http://www.parliament.nz/resource/en-nz/50SCSS_EVI_50DBHOH_PET3145_1_A330433/6c57c90b0dfb40f405b7816aed0d63c3237a681c

The Howard Broad Review of Child, Youth and Family complaints system dated June 2013

<https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/corporate/review-of-cyf-complaints-system/review-of-child-youth-and-family-complaints-system-june-2013.pdf>

Report from 2011 Petition number 2008/121

http://www.parliament.nz/resource/en-nz/50DBSCH_SCR5635_1/e13295edf94c21e91defd08e66b94e1022ac3c0c

Chapter Six

I decided to include this chapter because the one thing Child, Youth and Family (CYF) and others come back to is the fact I applied for two positions with them so they tried to say that's why I am on their case. However, I hope this will soon put the record straight about what really happened and why I did that.

I will also give you the background about why and how I got involved in the Social Work field and the issues I faced along the way. I feel this is necessary to show just how far away from the Social Work ethos things in New Zealand have become.

I have to give a little history first which goes back to the late 1980s onwards as this explains how CYF and I ended up at loggerheads. If you read Chapter Four some of this might seem repetitive. I will go on to cover things I was unable to put before Parliament as part of my submission which should bring this all together and help make more sense of chapter four if it doesn't at this point.

Growing up I have always found myself helping the underdogs and if I believe anyone is being treated in an unjust or discriminatory manner would speak up about it even at school and later the workplace as well. So I am not the kind of person to hold back even if in doing so that puts me off side with others. Most of the time doing what one thinks is right does not win you friends and influence people far from it.

In keeping with this ethos I helped set up what later better become known and rebranded the People's Support Centre in Greymouth around 1989. **(Charities Commissions Registration number CC23439)** I was there for **10years until 2008**. It was deregistered as of **06/05/2011** and closed not long after that I believe.

So from 1989 onwards before I got any formal qualifications were more or less doing Advocacy and Social Work anyway. I mainly dealt with Work and Income, but on the odd occasion the Inland Revenue Department (IRD) and **Accident Compensation Corporation (ACC)** but I did also delve into the odd CYF cases.

I must admit at first I did not want to believe people when they told me what they claimed Child, Youth and Family (CYF) got up to. It's not that I thought the people were making things up, but rather I did not want to believe any Government agency could be capable of what I have now described throughout this book. Had I not dealt with CYF myself and someone else told me my own story as theirs I would think it was so farfetched as well.

However by the early 2000s I had seen enough about CYF to worry me and at that point started to take more of an interest in the CYF and Family Court side of things. My wider family member was uplifted in 2000 as well in which one of the staff said knowing I was an advocate "don't think you can take us on and win like you do others" and then "we can do whatever we want" and they were right on both counts as time has proven. At that point I decided something or someone needs to sort CYF out and in the absence of anyone else doing it I was up for the job.

It was also interesting to note that around this time early to mid-**2000's** a CYF employee tried to get me sacked from the People's Support Centre. They clearly

wanted me removed when I started to raise more questions about CYF practices, behaviours and tactics. I think they were worried that more people from the Centre might start shifting their attention onto them as we become more aware of the wider CYF issues. I was already well and truly on their case and catching some CYF staff out on a number of things as highlighted throughout this book.

A CYF staff member approached Frank Pendlebury a Committee member to see if they could make a complaint about me verbally rather than in writing at a meeting I would be excluded from.

While they wanted to meet with the Centres Committee they did not want their name recorded against the complaint about me and that kept secret for their own safety they claimed.

However, they did want to lodge the complaint on behalf of CYF the organisation to give it more weight but as a **staff member** in their **personal capacity or as a private citizen**.

They also threatened to write to our funders if the Centres Committee did not rein in or as they put it “call (me) the dog off them” Luckily Frank told them to go get stuffed and the fact they tried that on was even more of a reason for me to keep on going as I had been doing in that committee members view. So that backfired on that CYF staff member.

However at that point I decided to slowly pull away from the Centre and only remain on the Committee rather than a front line worker unless filling in for someone. I did continue to help with clients who cases I already knew and they asked for me through the Centre. I did not take on any new cases via the Centre if I could help it.

I then worked independently of the Centre on CYF cases which now become my full time campaign given the kinds of issues I saw the organization caused that needed to be addressed locally and then nationally.

I had a conversation with a CYF staff member in 2001 in which I asked (*not verbatim*) why do you treat families like you do their response if I was qualified I might understand it. So that got me thinking about getting some formal qualifications in this area. As one of them put it I was just an amateur trying to help and I agree with that. Some did however rubbed that in my face in front of clients.

Another put-down tactic they used was the fact Government agencies are renowned for burying people in paperwork or bureaucracy. Some if they knew a client or advocate had literacy issues they could use this to show them up or bamboozle them.

Example: I was at a meeting where I was passed a document and asked to read it to the client. I couldn't as they well knew and said well some help you are... They tried to put me down and play on the fact I had at that time an undiagnosed learning disability... One of the staff said I was nothing but a buffoon which means by the way “a gross and usually ill-educated or stupid person” they also stated.

So I then decided to attend a literacy course at the Christchurch Polytechnic Institute of Technology (CPIT) in 2002. They sent me to Seabrook McKenzie where they diagnosed me and come up with the fact I had a severe case of dyslexia and put in place some strategies to try and address this. So my ability to read handwriting is

non-existent. My reading ability with printed text was very poor as well which also meant I did not read at all, therefore, punctuation let alone spelling and grammar suffered as a result. Which I am sure this book will be indicative of.

It was at CPIT I first undertook any kind of Social Work course in **2002**. However, CPIT would not accept me onto their full-time Social Services program because I was on a literacy course. One tutor said my grammar spelling reading and writing was not at an acceptable level as I could not meet their minimum academic requirements.

Now I was surprised by this as Social Workers were meant to empower people be none-discriminatory and encourage equal opportunities ... When I mentioned this was met with the response when dealing with clients yes but you are seeking to become a peer that's different. I was however allowed to do some pre-entry low-level stuff after I approached the Human Rights Commission and made CPIT aware of that. I passed everything I did of course but told the real issues between that tutor and I was they had many friends working for CYF which might also explain a lot.

So after being told not to bother applying to CPIT ever again I tried the Southern Institute of Technology (SIT) Invercargill. Now they also had concerns about my academic ability but for different reasons. They could tell how much this training and qualifications meant to me and did not want to set me up to fail for that reason. I got accepted to SIT. I am not saying it was easy for the tutors or me at times, but we got there. My tutors were all great and renewed my faith in the profession. So in **2003** I obtained the Certificate in Social Services (**Level 4**) from them.

Going there had a dual purpose as it got me out the way of CYF Greymouth and honed my skills. However, I did go home for the holidays to surprise them and I am sure much to their delight.

I also wanted to point out Workbridge were also instrumental in my success and encouraged me throughout my re-training. They got me the specialist software and on-going support for which I could not have gone without.

When I thought that having the Certificate was not enough, of course, I went to the next level. I then completed in **2005** the Diploma in Social Work (Level 6) with Te Runanga O Nga Maata Waka in Christchurch. Like SIT I had great tutors and had an amazing time. I would come back to Greymouth for the holidays and most weekends to follow up on CYF cases. I don't think CYF were even aware I was off the coast more than I was on it at that time.

Over these years, my battle with CYF had already adverse effects on my ability to get even a placement and this I have never spoken of before... I need to be vague about this all because I don't want to breach other people's privacy or risk their identity being known as it could still have consequences for them or the organisation even now.

I had a meeting with a family and CYF staff outside my region. I caught some CYF staff out so after they got shown up they made some inquiries about me. When the staff realized I was on placement and found out where I was from they put in a call to

the Greymouth office to find out more about me. That work experience placement was terminated before days end by mutual agreement and here is why.

I was told this was a result of pressure coming to bear because of my fraught relationship with CYF and this organisation needed to remain onside with them for funding. I did not want to be selfish and risk the good work given this organisation did to help the masses for my own ends. So I went willingly for that reason.

The problem for me then become I needed a certain number of placements were required and without them you could not get the experience, therefore, qualifications needed. . CYF staff knew this, therefore, were themselves trying to bring about the demise of my Advocacy and Social Work aspirations. If I could not get my Social Work qualifications I am certain some CYF staff would have used that against me by informing clients I tried and failed. Let's face it that would not have been a good look and rather off-putting.

What help would a failed Social work student be as by virtue of this clearly they were out of their league. If you can't help yourself pass the course, how can you then be expected to help clients with such matters? That's the kind of spin I could see CYF staff putting around.

However, we found another placement but I was to stay away from CYF staff to prevent them from interfering again and to lay low so as not to come to their attention. I had no other options after this but to do so for my own good and future.

I assume that CYF staff member thought their plan had worked. I say that because they looked genuinely shocked when being asked if I passed in front of a client. When I said yes but strangely they did not offer any congratulations about this at all.

I then asked that question again of that same staff member why do you treat families like you do. They responded, "if I was better trained I would not need to keep asking that question" it was also pointed out while I had the Diploma it does not match their degree. So clearly they were going to have a smartass answer for everything right or wrongly... I should add I tried to get into a degree course to no avail because of their academic requirements yet again, but that's Universities for you. I found them by far the least willing to consider taking on someone with my kind of disability. I call this academic snobbery on their part.

The word had been unofficially put around by **CYF "staff in their personal capacity or as a private citizen"** I was a no go zone for any organisation wanting to keep favour with CYF even in the **Non-Governmental Organisations (NGO)** within the private sector if that was not already obvious. Some CYF staff ensured I could not get paid employment in the Social Services sector to which I am most suited. But what they did not count on was the fact I would continue this work regardless. Money was never my motivation bringing about accountability paid or otherwise for CYF was.

So to be clear my ability to get paid employment in the Social Work field was done and dusted, over and out. However getting paid while being preferable made little difference towards my end goal. In fact, I can say it more than likely would have hindered me as I would then be constrained by any employer. I knew I could have a

greater influence being able to work on a totally voluntary bases as I had already been doing.

However, there was a good side to this all and the fact I tried for positions and did not get them meant they could not go on and call me a dole-bludger per se. The fact I was trying to get a job and couldn't look's slightly better than doing nothing about employment at all. However, the downside was each time I tried to get a job and failed because of CYF interference this was unhelpful as they could again slag me off for that. It was a catch 22 really.

There were a series of articles that come out around 2006 about CYF having a shortage of qualified Social Workers. One stated CYF was struggling to keep their staff as mentioned in the press (Monday, 23 October 2006) **that claimed eight staff a week quit CYF**. This comes to spite the introduction of their recruitment incentive talked about here:

\$7,000 INDUCEMENT TO JOIN CYF

Social work graduates are being offered a recruitment incentive payment of \$7,000 to join Child, Youth and Family (CYF), on top of their salary. The inducement is part of CYF's efforts to build up staff numbers in order to handle a backlog of thousands of unallocated cases and the growing demand for its services. The money is being offered over two years as either a payment against the recruit's student loan, or paid into their superannuation fund.

Last year, a review of the department found it was under considerable fiscal and service pressure and it was given an extra \$120 million by the government. CYF says 93 social workers have since been recruited and a further 56 — many of whom will be eligible for the new recruitment incentive payment — are due to start soon.

Source — NZPA 15 July 2005 "Social work grads offered \$7000 to work for CYF"

No.211 dated: 11 August 2004

Link <http://www.jobsletter.org.nz/jbl21100.htm>

In light of this all I had two opposing schools of thoughts about what to do next.

There was never going to be a better time as far as demand for qualified Social workers so should I play on that and apply for a job with them. Also there could not have been a worse time for me personally given the prolonged and forever worsening history between that office and I. CYF tried to stop me from getting a job in the NGO sector so I thought why not catch them off guard and apply for a job with them.

It just happened to be that a Social Work vacancy was advertised (CYF670 - Social Worker Greymouth) and I thought why not go for it...Given there was no love lost from some CYF staff towards me this was hardly going to give me any advantage quite the opposite in fact. As crazy as my idea might sound I did have a method to my madness.

I realized by going down this path might be like a lamb going to the slaughter and them possibly setting a trap for myself. However, on the other hand, I was also

damned if I did nothing as the damage had already been done to my employment prospects outside of CYF.

Either way I was damned so why not try something rather than do nothing and sit back and take it lying down. Someone within the CYF office told me when my application went in it was the last thing they expected to happen given our past history.

I saw other advantages in applying for the position for a number of reasons. I also wanted insights into their recruitment processes and to meet those who up until that point avoided me in the presence of other professionals. I wanted to be measured against their so called high standards to see if I could get close to matching them to spite my disability. Anyone with half a brain could work out in CYF eyes I had more going against me ever getting a job in that office the way things stood. For me, another one of the main things I wanted to see was if the racist and discriminatory attitudes and lack of professionalism or ethics I saw from some of their staff at times was indicative of what went on higher up the chain of command. I got a very resounding answer on that as you will soon see.

So anyone who claims my campaign on CYF was based around the fact they did not employ me could not be further from the truth. I wanted to run the gauntlet and show them I can bring it to their doorstep rather than give up and go away like they wanted

So on the **1st July 2006** I went to the first job interview with CYF Greymouth.

Now to be clear my goal was not to get the job but to do as well as I could and put Mainstream on the agenda as I did not want a position any other way nor would I be able to get it any other way either owing to my disability. I was told by an insider that CYF would never create a Mainstream position for me so I was quite safe putting that forward as a reason to get before them at long last.

To my surprise, I was scored rather highly considering I was unable to complete the section that tests my literacy skills as they claimed to be unaware and unprepared for the fact I had dyslexia and, therefore, needed reasonable accommodation. If you don't know what I mean by that here it is:

“Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

http://en.wikipedia.org/wiki/Reasonable_accommodation

The interview Panel Chair claimed to be unaware of the need to show me reasonable accommodation, therefore, was caught out by this and unprepared to do so.

However given all my dealings with the local office over the past 6 years to that point this excuse of them not knowing about the reading and writing issues I had simply

does not add up. I often emailed them so they would have been more than aware of the literacy issues.

My personal statement also attached to my CV alerted them to the fact I attended as a student the literacy course at CPIT. I also answered the question on the application form about having a disability that could affect me being able to do some aspects of the job being applied for.

So the first issue I struck was the lack of reasonable accommodation because of the Interview Panel claiming to be unaware and unprepared for this. However, I did suggest as was my real motivation for going they put **Mainstream** on the agenda. So I left them with all the information about that.

Now at this point I need to explain **what Mainstream is:**

It's a scheme for people who were not quite work ready therefore a position had to be created for them. So it's not a contestable position. In return for creating a position the employer gets 100% of their wages were subsidised in the first year. Then 50% for the second year and after that the subsidies end. By that point the expectation is you have grown into the role and up to speed and have a full time position out of it.

At that time, it was only available for Government Departments or Agencies and not NGO's at all.

So to be clear the issues I had was the way I was treated during the processes, not the fact I did not get the job. Considering I was unable to complete the written section I was overall happy with the scores and do believe they appointed the better person for the job who was work ready because they did not suffer from a disability.

I wanted to go for a non-contestable mainstream position and the first job interview I went for with CYF was contestable, but I was more than happy to give it a go. If CYF were going to judge me as they had been doing, I wanted that to be on a fairer footing next time around.

Going for a contestable position is as a depiction like telling everyone who qualifies for the Paralympics to switch to the mainstream Olympics and expecting them to compete equally. Then if they don't do as well as they used to in the medals tally criticizing the Paralympians for this rather than the organisations inability to see the problem they created. Or as someone put it to me it would be like them doing away with their Golf handicap etc. Sometimes you have to even the odds and give people a level playing field. The Paralympians work and train just as hard as those in the Olympics games do. In fact, I think given the obstacles the face do better.

The fact was I could not hit the ground running and would have been way out of my depth with front line Social Work. I had to be eased into and that was what Mainstream was for.

When CYF realised they stuffed up they decided to have a meeting with me about the first job interview on **Oct 12, 2006**, in which I met none other than **Paula Attrill** who was then the Regional Director.

This is not verbatim here, however, more accurate on my web page as this is a summary. Paula said Mainstream was not on the radar and more or less went on to say taking on CYF would not be helpful towards my Social Work career aspirations.

That CYF would have to defend their version of events if I went public and that would be more damaging for me than them if I wanted to risk it.

It clearly seemed like a veiled threat to me more so given her tenor and grin. Little did Paula know that boat had long since sailed.

I don't think she realized that was an empty threat if it was meant as one that is. I suspect that the local staff did not bother to enlighten her that they already ended my ability to work in the NGO Social Work field already. I tried not to laugh at her and it really took a lot of effort to contain myself at that point knowing this...

That also confirmed I had nothing to lose by going public and this kind of tactic and behaviour was prevalent throughout the organisations for her to resort to that.

That's one of the many reasons why I knew I had nothing to lose by going public with my web page as I did before years end (2006)

Now I did complain to CYF about the alleged threats at the time but they refused to ask Paula about this or any of their other staff for that matter about their campaign against me as I described throughout this document and also talked about in **Chapter 4**.

My web page was already being worked on before my meeting with Paula and CYF knew this which is why that meeting took place to discuss what happened and was going on to start with. I did tell CYF and their Minister at the time being Ruth Dyson it was coming.

Paula said I will be offered a second interview to make up for the mistakes of the first one. But I will talk about the second interview soon because between now and then a few other things happened.

For the next **eight or so pages** I am going to digress again from my original submission and talk about what's called the **EEO policy**, how that relates to **disability** and job applications and employment issues in more detail.

That's because in the midst of this all between the first and second interview I was calling into question CYF EEO policy. I do admit I knew this would not endure me to them but wanted to show them how good I was as a Human Rights Advocate. It also showed up how little they knew about this area at the time.

As CYF measured me against their Social Worker standards let's see how I do against them as an advocate. Could I hold my own against them or they wipe the floor with me for once and for all.

People have heard me say that CYF was discriminatory and a lot of them have suggested of course I would say that, but can I prove it. To that end, I have added this section which was not in my original submission as Parliament claimed they can't help with this.

I want to explain what I found CYF were doing in order to screen for people with disabilities upon application that made sure they never made it to appointment.

Now getting back to my chat with Paula, she did question why the first interview Panel never picked up from my application form about my disability. That's because there is a direct question in relation to that on the application form itself that must be answered.

I have no problem (apart from the wording in this case) with the following question being asked upon application, but rather the issues are as a result of answering it what happens next. The question they asked in their application form was:

Do you have, or have you ever had, a medical condition caused by an injury, illness, disability or gradual process that the tasks of the position may aggravate or contribute to, or that may affect your ability to carry out the work of the position applied for? If "yes", please give brief details:

CYFS application form- o_Application_Form_A_July_2008 Page 2

Can you see a potential problem with asking that kind of question specifically upon application?

I should add you must answer that question and have no real choice in doing so. If you don't answer that question and then you get a job and the employer finds out you do have an issue that can affect your ability to do the job you did not declare you could lose your job because of that.

When I questioned why that particular wording was in their job application form no one within CYF could give me straight answers. I also wanted to know if after having answered that question it was recorded against their EEO data; again no at CYF seemed to know.

Neither the CYF Regional Director Southern nor Human Resources could give me straight answers.

The next three, Acting Operations Managers, Upper South Island couldn't explain things either, let alone anyone at CYF head office. Either they did not understand their own policy which I think was more the case, or couldn't admit I was right as time would eventually prove.

So if you don't know what EEO is or how it works here is a brief rundown. Most employers have what is often referred to as an **Equal Employment Opportunities (EEO)** policy which prohibits discrimination on the grounds of Age,

Ethnicity or Religion and **Disability** ... In other words, applicants are all meant to be treated equally regardless of these things.

So the issues are, what if as a result of answering the disability question on the **CYFS application form** it meant in you not being shortlisted for the job interview for that reason alone.

CYF do have an EEO feedback form in their application packs which asked about **gender, ethnicity** but not disability strangely enough. Yet they directly get you to declare that upon application but don't record that in any way for EEO purposes.

CYF informed me they were only following the **State Services Commission (SSC)** advice which was:

The SSC states:

Information on disabilities is sensitive, and has the potential to inappropriately influence decisions on an applicant's suitability for employment.

<http://www.ssc.govt.nz/node/7682>

Then when you read this it sort of seems at odds with each other.

“Disability data is normally collected at the time of appointment and not at the time of application...”

<http://www.ssc.govt.nz/node/1671>

So they admit revealing a disability/illness can **influence decisions** but to spite that fact a disability question is asked upon application the EEO data itself is not gathered until appointment. So what happens if by answering that disability/illness question you don't make it to appointment? Should they not be monitoring situations like this from go to woe for that reason?

So if someone declares a disability or illness upon application that could affect their ability to do the job being applied for, no one then follows that up to see if they were discriminated against and disadvantaged because of that. When I pointed out these issues I was told that to then add the disability issues to the already existing EEO feedback form might in itself create discrimination. I mean really!

While its claim they don't want to record the fact a disability/illness has been declared this seems more about covering up their systemic discriminatory practices rather than protecting against it. That just seems a little topsy-turvy to me.

Is it just me or does that not seem a little backwards thinking? If someone filled out that disability or illness question and it was not recorded anywhere you have no way of knowing if that had a negative effect or was a factor in them not getting appointed.

If that was not enough, then the so-called voluntary and anonymous EEO form was attached to your job application that contained all your details which all got sent to the same place at the same time. I mean they did not even have the foresight to get the EEO form if filled out sent to a separate office and person to make sure it was actually voluntary and truly anonymous. The fact the EEO was attached to the job application puts pressure on people to fill it out as they would see if you didn't and know who that was because of all their details given in the job application.

I realized the way CYF phrased the wording of the disability/illness question was not within the law so I contacted them and the State Services Commission about this. They both disagreed with me. So off I went to the Human Rights Commission and they agreed with me for the first and only time. Back in the day, they were way better than they are now. This is their many years late long after the facts.

--- Original Message ---

From: Name removed and email withheld
Sent: Friday, 14 November 2008 4:08 p.m.
To: Graeme Axford
Subject: EEO data in the Public Service

Dear Graeme

Thank you for your correspondence raising concerns about advice to government departments about the collection of disability data.

This is a complex issue in which a positive intent (to increase the number of people with disabilities employed in the state services) may have an unintended consequence (discriminating against those who identify that they have a disability).

The Commission supports and indeed encourages the collection of data on the employment of disadvantaged groups, including people with disabilities. **Data collection is an essential component of accountability for fair employment practices.**

As you rightly point out, there are potential risks that this data is not used to monitor the fair treatment of people with disabilities, but to exclude them. It is believed that disability information is under-reported due to fear of discrimination. See "Enabling Ability: Meeting the employment requirements of people with disabilities in the Public Service," a recent publication from the State Services Commission (SSC).

The advice from SSC is to separate the collection of disability data from other information collected at the time of application to **minimise the risk of discrimination**. It is considered that collecting disability data at this time enables EEO monitoring to identify when barriers to employment may be occurring. For example, if people with disabilities are not applying for jobs then further investigation of the recruitment process is indicated, if people with disabilities are applying but are not being appointed, then scrutiny of the appointment process is indicated.

Collecting disability data after appointment reduces the possibility that an applicant for a job might be discriminated against, but means that the opportunity to monitor, and if necessary amend, recruitment practice is lost.

The wording of the question in the CYFS application form **does not appear to be data gathering for the purposes of equal employment opportunities**. You report that the application form states:

“Do you have, or have you ever had, a medical condition caused by an injury, illness, disability or gradual process that the tasks of the position may aggravate or contribute to, or that may affect your ability to carry out the work of the position applied for?”

In my view this question is problematic as it raises the possibility of unlawful discrimination. An employer is entitled to establish whether a job applicant has the abilities needed for the job. In its publication “Getting a Job An A-Z for employers and employees Pre–employment guidelines” the Commission suggests that a job applicant should first be made aware of the job’s requirement and then asked about any medical conditions or disabilities that might prevent them carrying out the work satisfactorily.

The question asked above is overly generic. If for example the job involves a high level of exposure to stressful situations then the ability to manage stress should be ascertained at interview and through reference checks rather than the use of a screening question which will preclude otherwise worthy applicants being considered. It is possible that if a person answered "No" to this question and had previously experienced mental illness, physical illness or other physical impairment and this re-occurred they could be dismissed for providing false information.

We will follow up this issue with CYFS and State Services Commission. Please contact me in a few weeks if you would like to hear about progress on this matter. Thank you for bringing the matter to our attention.

Yours sincerely
Principal Advisor EEO
Human Rights Commission

So in the end and as a result of my complaint CYF had to change the wording of that question to this:

“It is important to let us know of any health issues or disability that you have as they may affect aspects of the position you are applying for. If you require special services or facilities, and it is reasonable for the Ministry to provide these, then we will work to accommodate you. Letting us know that you have a medical condition or disability will not exclude you from being considered for the position.”

Again a play on words as you might not be excluded from being considered if something is declared. However, that does not mean as a result of having declared a disability or illness you will not be put to the back of the queue afterwards is my point.

CYF were really pissed off, I of all people had caught them out. I will now try to wrap it all up and explain the problem if you have not already seen it.

After having asked a question on disability or illnesses then to only collect EEO data at the time of appointment rather than application is way less helpful and tells you nothing in my view and here is why.

To try and explain the issues let's say someone who is in a wheelchair applies for a job at a Call centre in which they sit for most of the day. Most buildings are wheelchair friendly so that has less of an impact on their ability to do their job. So the fact most public and workplaces are wheelchair friendly means that's not so much of a burden/issue for their employer if they applied for that kind of position.

However, if a wheelchair bound person applied for a front line Social Workers job that could potentially create transport and mobility issues with things like home visits off-site meetings etc... which would need to be considered. So that becomes a somewhat more complicated scenario. The cost of vehicle modifications and other things have to be taken into account. Many private houses don't have ramps etc... So when you compare the two different roles it would be far easier for a wheelchair bound person to be in the call centre rather than on the front line in theory. However should as a result of a disability they are limited or even defined by that. I mean if the Government passed a law that said people in wheelchairs could only work in more stationary job there would rightfully be an uproar.

Therefore, if they applied for a call centre job they might be more likely to get that over a front line social workers position. If they did not get the chance to be employed as a front line Social Worker because they were in a wheelchair in spite of being more qualified than able-bodied people, that is discrimination as I see it.

Even Parliament itself struggled with these kinds of issues when Mojo Mathers become an MP as she was born profoundly deaf. You can read more about that by following the link below.

Deadlock over funding for deaf MP

DANYA LEVY AND JOHN HARTEVELT

Last updated 08:33 08/03/2012

<http://www.stuff.co.nz/national/politics/6541209/Deadlock-over-funding-for-deaf-MP>

I do want to say I had hoped having an MP with a profound disability might have helped the plight of disabled people more. Sadly I have as yet for Mojo to reply to any of my emails on these topics.

So the collection of EEO data at the time of appointment becomes largely irrelevant if the disability has less of an impact on your ability to do the job as that will not be a black mark against you getting the job in the first place.

The EEO form below that was used in 2006 was a part of your job application pack. So after you filled out all your detail's to apply for the position the so-called voluntary and anonymous EEO form went to the very same place and people as your filled out application form did. Can you see the problem with that?

For the record here is the actual EEO form:

Here is a cut down version of the form they used when I filled it out...

EQUAL EMPLOYMENT OPPORTUNITIES

The following information is requested to assist us in monitoring the success of our equal employment opportunities policy and is used for statistical purposes only.

EQUAL EMPLOYMENT OPPORTUNITIES

The following information is requested to assist us in monitoring the success of our equal employment opportunities policy and is used for statistical purposes only.

Position applied for	Location	CYF vacancy reference

Please tick the appropriate box:

Are you: Female ☐ Male ☐

Please tick the box(s) that most clearly describes you (one or two boxes only).
--

New Zealand Maori ☐

New Zealand European or Pakeha ☐

The list goes on to show another 16 to choose from..... Then also went on to say:

Please state other ethnic origin:

I do not want to provide this information ☐

Note they did not ask about disability. This form was meant to be both voluntary and anonymous.

Ok, the issues are given you put all your private information on the application form that the above EEO form was a part of and attached to it that's hardly anonymous in my view. CYF could not see this issue -yet again...

While it took some time and a lot of to-ing and fro-ing before anyone would really do anything about these issues I finally yielded this response:

-----Original Message-----

From: Name and email withheld
Sent: Monday, 23 February 2009 1:43 p.m.
To: Graeme Axford
Subject: EEO data in the Public Service

Hi Graeme
I'd hoped to get you a final outcome rather than a progress report, but we're

not quite there and I'm keen for you to have **up to date information for your meeting**. SSC checked out the statement by MSD/CYF that the question you drew our attention to was "standard practice in the state sector" . SSC found that yes indeed it was and a letter to HR managers across the state sector advising them that such questions are **inappropriate and potentially discriminating is being prepared**. I am waiting to see a final copy of that letter and to hear that it has been sent and will let you know as soon as possible when that happens. All the best (name removed)

(Name removed)
Principal Advisor EEO
Human Rights Commission

Does it not seem strange that no one in the State sector seen the problem before I raised it. What I find more extraordinary is that the EEO trust <http://www.eeotrust.org.nz/> when I wrote to them were not at all interested in the problems I saw with the EEO policy. The MSD is a member of this trust as well...

So it seems I caught out the entire State Services and ironically the State Services Commission themselves. If my recollection is correct the SSC was told by the Human Rights Commission the disability/illness question was wrong and to fix it.

The meeting being referred to in the email to me was with the 'Director of Human Rights Proceedings' if I remember correctly.

The Director and I discussed pursuing action against CYF, but they had a limited budget so therein this all come to an end. You will note how they were starved of resources like so many purported avenues of redress. The Director was genuinely sympathetic about my plight and for the first and last time ever in this I felt listen to.

Now back to my story and how this all fits into the first job interview and what happened that meant I was offered a second job interview by Paula.

During the first interview, there was a section that tests you literacy skills.

Of course, I failed that but I was taken back by the fact I was not shown reasonable accommodation and question their EEO policy as they sort of go together in a roundabout way as I see it.

In offering the second interview, I was told by a staff member they were setting a trap for me and I would be hoist by one's own petard.

Now I was told that CYF had a failsafe plan to use in which they could lawfully discriminate against me and get away with it in these circumstances.

An example of what I am talking about is if someone is colour-blind and wants to become an airplane pilot they can be refused. The different instruments in the cockpit are colour-coded for good reason, so if you can't distinguish between them that poses a risk to yourself and everyone else.

CYF were going to say that by my having dyslexia I pose a risk for those clients I would be working with.

That if I inaccurately recorded information that could put or leave a child at risk or further add to the already risks they faced. That good literacy and numeracy skills were essential and without them employing me is too risky for all.

What I find ironic about that is having read many of their client files some of their own staff is as bad if not worse than I when it comes to their literacy skills.

So I showed CYF, in the same way, you can pick on me so too can I pick holes in the way you do things. Oddly some staff had some respect for me after that while others hated me even more, not that this mattered by then.

Interestingly having put a lot of this stuff online I have been contacted by no less than 200 people over the years who believed as a result of answering the questions on disabilities or illnesses and in spite of being more qualified and experienced than many who they know applied for the job, they did not get shortlisted and others appointed. Here is one example:

“Hi Graeme - I have found your case interesting with CYPS and discrimination. I got offered a position with them last year, did not declare information about my disabilities as mental health had said that the social work position and the job tasks would not impact on my mental health - however the check that they do with Work and Income revealed that I had history of being on the benefit for mental illness. They withdrew their job offer. Interestingly the question has not changed on their application forms in regard to disability/ health conditions!!”

So there you have it, in spite of all the rhetoric about New Zealand's EEO policy and claims of reasonable accommodation and being nondiscriminatory this appears to exist in theory but not in practice where it counts towards the end users.

I am informed by people with actual disabilities that even now in 2015 things have not improved and, in fact, some say have gone backwards

I like what a CYF manager told me in their personal capacity or as a private citizen, off the record many years ago which was:

Just as a point when you consider the CYF workload and strain the staff were already under having to show reasonable accommodation for a far less able person in their office is seen as another problem and burden they would not want to bear in those circumstances.

CYF way more able staff was not coping under the strain, therefore, putting someone less able into that kind of environment would not end well for anyone. In this politically correct world, you can't say that LOL.

However, that manager also added CYF focused on the negative rather than benefits people with disabilities like me can bring. That in many other ways I can save them a lot of money and time in ways they can't see for now.

CYF offered me a second job interview but not a Mainstream one as I posed a problem for them. I did so well with the first interview considering I was disadvantaged because of my disability they had to make up for that by letting me retry.

CYF needed a reason to rule out mainstream considering I was a qualified Social worker and there was a shortage of them at that time some people started to raise eyebrows about this.

In between the first and second interview I also raised some issues with Judith Larking that she was meant to follow-up on but didn't before the interview as she took over from Paula Attril for a while. It was obvious all was not well before the second interview otherwise why would Chris Pickering ring me between the 3rd to the -5th (Friday to Sunday) of November 2006. When he eventually got a hold of me over that weekend to confirm I would attend the second interview. In saying that I don't want people to think I am implying that he had anything other than honest intentions as I have found him to be a person of integrity to date. I believe Chris was genuinely sucked into this and not knowing what was really going on in the background as this and other chapters now explain.

Now this brings me to the second issue about Iwi representation and how little at that time the Greymouth office respected the local Maori and at the same time tilts the scales in their favour on any decisions.

I believe the setup for the second interview was between the Site Manager and the planted Iwi representative as that was a friend of hers. Both were involved with my first interview and would also be on the second one as well now. So I have two-thirds of the same interview panel for both.

However, they were unhappy to have been pulled up over what happened at the first interview so you can only imagine their delight to have a crack at me again. As one of their staff said he who laughs first laughs last...

The same person from the local CYF office that told me what I would be in for also gave me a tip to look at the local iwi representation selection processes as they heard how things were going to be played out. Yes I was forewarned of what was going to come to pass and that's why I can say the second job interview result was without a doubt a stitch-up in my view.

What's more the local Iwi were not asked or consulted about that person being on CYF related Panel's as confirmed by this next email in a follow up to questions around this:

From: Pamela Walkinshaw
Sent: Tuesday, 6 February 2007 6:32 a.m.
To: Graeme Axford
Subject: Iwi Representation on Interview Panel

Dear Graeme

In relation to your questions concerning selection of the Iwi Representative for the interview panels I provide the following answers.

Local Iwi were not asked to put nominations forward for the interview panels.

Child Youth and Family asked a specific person to be on the interview panels. This is a person who had been on previous interview panels, and had knowledge of the interview process. The person is a current member of the Care and Protection Resource Panel so has knowledge of statutory social work and the issues for the site...

So much for CYF honouring the Principles of the Treaty of Waitangi!

Now I want to be clear about what I am saying here. I have found that given the opportunity the Government agencies will try and pick someone more amenable to their agenda. As a Maori elder so wisely put it to me if you want to screw us over you employ one of their own to do it. If for example anyone other than Maori did it to another Maori that would be called racist. But when one does it to their own kind its more acceptable and harder to fight. Then if someone like me comes along to question it I end up as cannon fodder to spite the fact I am right.

So I went for the second interview **6 November 2006** in Greymouth and as predicted it was a train wreck. It was more like Daniel in the lion's den except he did not get devoured like I did. . I knew that: Site Manager (Chair) and Iwi representative had me in their sights second time around.

As you might be able to gather if you read between the lines there is a lot more that went on behind the scenes then I am able to share. An informant sent me a letter and asked me to be very circumspect about the details within it. While I don't know who was behind the information it had proven to be more correct then not over time.

So after the second interview come another meeting.

This took place on Monday **11 December 2006** with none other than Pam Walkinshaw, Acting Operations manager who as predicted confirmed CYF could not ever possibly consider putting Mainstream on the agenda after that second interview result. Now if that was all that was going on people might think well that's life move on get a job elsewhere. However, some CYF staff was far from done with me yet.

It was again suggested to Workbridge who used to run Mainstream they should do all they could to keep me out of Social work and look for a mundane dead end job to which I would be more suited to...

Someone at Workbridge suggested to the MSD/CYF they should do the opposite and employ me as I clearly got their number and it would be a way to keep me under more control. In response, the MSD/CYF staff pointed out while they had anything to do with it my Social Work career was over before it ever started as I dared take them on as they saw it. However, we already knew CYF were trying to keep me out of the Social Work field all together which was the very reason why I dared front up to their doorstep for a job interview in the first place. I never expected to have a win and my aim was to give them a run for their money.

It was one thing for CYF not wanting to employ me on mainstream but something quite else for them to interfere elsewhere and get that option taken away from me. However, they did not realise by saying that they were proving my claims about how it was them trying to stop me from getting a Social Work Mainstream placement anyway...

As their staff had it in for me I realized given their underhanded tactics and behaviours I was not about to come up trumps as the collateral damage had already been done and more than likely irreversible the result of which still plagues me today.

It was at this point I put the webpage up because I knew while CYF had anything to do with it I would not have a Social Work career anywhere even under Mainstream or with and NGO they work with or fund as they were limiting my options.

For the record, the real reason why I did not really get offered any position even under mainstream is explained here as in the email dated **11 October 2006 10:50 a.m.**

You may wish to speak to Margaret Gifford as when I spoke to her last week re Graeme she was very clear with me that in her opinion his employment would pose a security risk for the Service.

Margaret Gifford is the CYF lawyer who also just happens to be the main one on our wider families' case. It would be fair to say there is no love loss there... So even if I had of done well would never have been offered the job anyway given that advice...

However what CYF did not count on was me being willing to have a voluntary advocacy career to bring about the changes I seen were needed. The fact they treated me this way actually made me more determined than ever to battle on and only ever fanned the flames and fuelled the fires of injustice I felt. Ganging or beating up on me was never going to work for them and, in fact, has totally the opposite effect on me as I am so used to this from them anyway.

CYF trying to get me blacklisted was also confirmed by others who the CYF staff had talked with about me locally. Given CYF overplayed their hand I had nothing to lose by going public as I did about what was going on behind the scenes

I say that because CYF suggested as I went public I, therefore, committed career suicide, but that was not, in fact, the case at all. The damage had already been done therefore I had nothing more to lose by going public. I hope people would have worked out that I do think ahead and already considered the ups and downside of it all. I went into Social Work to make a difference paid or otherwise and some could say I have already done that given CYF reaction towards me.

The reason why CYF claimed I did so poorly at the second interview was because I lacked analytical, conceptual thinking and Investigation Skills. I mean like really everyone who knows me can see how farfetched that is from the reality as I now hope this book reflects.

Now CYF were to start with worried about what I posted on the internet via my web page <http://www.graemea.snap.net.nz/index.html> as it not a good look for them. I then got this letter in response to having done that:

28 February 2007

Mr Graeme Axford
"Address Withheld"

Dear MrAxford

I wrote to you on 30 January in an effort to try and resolve your complaints against Child Youth and Family. Although I have not yet received a response from you I am aware that you have posted material on the Internet and that you may publicly protest to highlight your grievances. This suggests that you are still unhappy with your dealings with Child, Youth and Family and matters remain unresolved.

Clearly you are dissatisfied and frustrated and I am anxious that we not do anything to exacerbate this situation. I do still think it worthwhile looking at a different course to see if we can't bring this to a conclusion that would be satisfactory to you. Notwithstanding your perceptions of what has occurred I remain hopeful that we can agree on a way that your complaints can be reviewed along with how Child Youth and Family and the Ministry have responded to them.

In my previous letter to you, I told you about your right to ask the Ombudsman to review what has occurred between you and Child, Youth and Family. The Ombudsman has powers under the Ombudsman Act to look into the sorts of complaints you have raised and to independently review how we have dealt with you. If the Ombudsman believes it appropriate to do so, he or she can recommend how matters should be rectified. Such recommendations are invariably complied with. I want to urge you to consider this course of action.

If you are unsure about what is involved in making a complaint to the Ombudsman, then I would be happy to get someone from the Office of the Ombudsman to contact you and explain what you need to do. If there is some other way that we can resolve matters than again I would be happy to explore this with you.

I look forward to hearing from you.

Yours sincerely
Christine Stevenson Deputy Chief Executive

As you can gather I did write back to the Deputy Chief Executive and to cut a long story short they backtracked yet again when I raised the issues around Paula's comments and their staff tactics and behaviours around setting me up like that. They also refused to acknowledge my complaints about their staff telling NGO's not to hire me if they wanted to keep in good with CYF. By that I mean they said at a meeting CYF staff was entitled to hold views as staff nevertheless but with a point of difference being as **staff in their personal capacity or as a private citizen** even if **on the job...**

The Deputy Chief Executive was wrong as the Ombudsman, can't look into employment type matters or staff behaviour and tactics. While anyone can go to the Ombudsman about most things and this is the standard response from Government

agencies. That does not mean the Ombudsman can look into everything you put before them at all. Having the right to do something does not equate to being able to get it done.

The MSD did offer to help me with Mainstream placement in 2012 but as usual only on their terms.

CYF put Mainstream on the agenda in 2012 but...

As I have mentioned before we had a meeting in Greymouth [Wednesday 29th August 2012] where we received the second Chief Executive's Advisory Panel findings and recommendations. One of the things that come from that meeting is the MSD offered to help me get a mainstream placement as they now run the program after they took it over from Workbridge.

Let us not forget and keep in mind the background between myself and CYF history which as one could guess hindered me in the Social work field as you will find out as you read on. The sabotaging and collateral damage had already been done towards my job prospects in the Advocacy and Social Work field. That negative undercurrent sustained over many years means no one who had anything to do with MSD funding or staff would go near me. I mean could you see the CYF staff recommending me or wanting to work alongside me. It's not a great stretch of the imagination to say they are not my number one fans, therefore, unlikely to do me any favours. Keep that in mind.

So while the MSD offered to help me with a Mainstream placement in 2012 it is fraught with that baggage from the past which has now become those present difficulties to overcome! Their offer of help also came with some strings attached not made clear to me at the time. I assumed they would help me get a Social Work placement with an NGO rather than exclude this as they went on to do.

I believe it was suggested by the MSD to the 2012 Mainstream contracted provider they looked outside of the Social Work field. Now that's what they previously and less pointedly told Workbridge as well in the mid-2000s. So let's be clear about this it seemed some at the MSD might have wanted to manipulate the process one way or the other for their own ends and not my benefit. Is that so hard to believe?

You see CYF did want me to get a Mainstream placement for sure, but not in the Social Work field. If I had a job outside of Social Work it's a win-win for them. That means I would have no time to help families or protest because I am working and in a different vocation. That keeps me out of CYF way and I was not going to go down that path until such time as true accountability had come to CYF and nearer the end of 2015 that's still not arrived.

Over the years, a number of Non-Governmental Organisations (NGO's) who also looked at employing me were also warned off by some individual CYF staff. When individual employees from within an organisation like the MSD/CYF can use their positions "as Staff in their personal capacity or as a private citizen" all the better for

them both. This way the MSD can maintain **plausible deniability** as they have always tried.

The MSD has put pressure on organisations it contracts to in order to get the staff they don't like unemployed as happen in the case of **Johan Aarts at Barnardos**. The Howard Broad Review also hinted of this possibility being for real.

This is why many providers will not speak out for risk of losing their funding or getting offside with the MSD/CYF.

My credibility and reputation have been trashed by both the MSD and CYF now to the point of no return. As CYF claimed I named and shamed their staff, therefore, posed a risk for any organisations that might have considered employing me. That's because who wants someone like that on their team.

People might recall the MSD itself claimed this in writing about me so it's very easy to prove. When I was served with the trespass notice some CYF staff speedily and delightfully told people why as per what was in the letter that accompanied it sometime later. Then the letter was withdrawn as being inaccurate.

But once the letter that come with the trespass notice was retracted they strangely failed to inform people of this. How do you think explaining that comes across at a job interview even for Mainstream? The main reason why I can't get t job in the Social Work field is because people were worried that taking me on will cause issues between them and the MSD/CYF and why risk that? If NGO's think I am still trespassed from all MSD premises of course logically that's going to be a downer for me.

You show me one person or organisation anywhere who thinks being seen as enemies of the MSD/CYF will help them in the Social work field.

That is, of course, rhetorical.

The fact I was trespassed at all set off unnecessary speculation and a private apology and withdrawal of the reason why and does not fix the public perception this all created.

The MSD took over the Mainstream program from Workbridge so when they agreed to help me get a work placement I did not expect that to be with them or CYF. I did, however, expect it to be in the Social Work field not realizing they had ruled this out.

I can say that because Doug Trigg from the MSD June 2012 I think?, suggested to the Employment Services Trust contracted to the MSD for Mainstream placements it might be an idea to steer me away from the Social Worker field altogether.

I should add coincidentally that person I was dealing with used to work for CYF not that I minded as he and I could see why going there was not an option. This person was very kind and honest so not surprised they left CYF.

It was anywhere, but the Social work field and I wanted to go nowhere else. That was the nib of the issues... For me to get an Advocate Social Work placement under

Mainstream with a *non-governmental organisation* (NGO) the MSD would have to bury the hatchet and more or less encourage an NGO themselves to take me on which was all steps way too far for them. So that is why the Mainstream did not go anywhere and I don't see that changing anytime soon. I should add that back in the day you could only get a mainstream placement within a Government department before in recent times they opened it up to NGO's. In fact, I can say for sure I am suited to doing what I am now more so than front line Social Work, After all the run-ins with some CYF staff frontline Social Work could be fraught with danger for me.

I am under no illusion some MSD staff will not rest until they exact their revenge and if you read my submission about my case as put before Parliament you might agree based on that. Please remember that's not even close to the half of it as Parliament's own rules forbid me from telling the full story as I would like to have done.

I was surprised about how contrary everything seems to be to what I learnt during my training. I mean to threaten and abuse people using your position, disempower and not seek real accountability and social justice for all.

To set aside you Code of Conduct, Ethics and Standards of Integrity under any circumstances is wrong in my view. Yet they did all of that and more the only reason why they don't want me round their staff is to point this all out. The only danger I pose to their organisation is exposing the truth they clearly don't won't highlighted. I have stood the test of time and maintained true to what it means to be a real Social Worker to spite the costs unlike many of them.

What happened to me just shows how spiteful and vindictive CYF really are and out of control. The only thing I have ever done to them is helping their clients and that's what I get for it. This says more about them than I.

If you read Chapter four near the end you will see how CYF set out to destroy my ability to work in the social work field even voluntary. While they might think that's worked I am far from done yet and will keep on going for as long as it takes until true accountability comes and they right some of the wrongs. I have adapted and evolved and while they might think I am out of the picture that's far from the case at all. In fact, thanks to CYF I had to try new ways of doing things that I stumbled across because of them which work better than anything I was doing before.

When you look at the amount of time, energy and money I have poured into this as some people see it for little return there should be no doubt about how committed to these causes I really am. I will go on until CYF become accountable.

I also need to mention the most ironic thing, the MSD also run the Office for Disability Issues (ODI) <http://www.odi.govt.nz/> so they more than anyone should lead the way by example in helping and championing the rights of people with disabilities yet are the worst at it. On paper I am should things look good so as to seem to comply with our international obligation via the New Zealand Disability Strategy. But the reality I hear is so much different for those with disabilities within New Zealand.

I am going to slip in another aspect of this all here rather than backtrack to chapter four and add this in there. As I have pointed out before my ability to structure things

is inhibited by my disability. But this could fit equally here or within chapter 4 as I see it. What's that saying six of one, half a dozen of the other.

How a CYF staff member forever ended my ability to have a paid Social Work career:

As I talked about many times before, some CYF staff undertook a black-ops campaign to make sure one way or the other I was blacklisted from the Social Services employment pool, therefore kept out of that field. They also wanted to limit my ability to advocate on a voluntary basis as well. So they tried this tactic.

Some CYF staff continued to misuse their positions and powers to get at me. I have been unable to talk about until now. I promised someone I would not refer to this in case CYF figured out where this information came from. However some circumstances have now changed allowing me to reveal this to you for the first time. Some at CYF went above and beyond the call of duty out of spite to ensure I could never get paid employment as a Social Worker and here is another one of the many more clever ways they went about this.

A staff member used the **CYF letterhead as well as drawing on section 66** of the Children, Young Persons and their Families Act 1989. For those who might not know what that is "**Section 66**" is cited when a person **is under investigation for abuse**, and the recipients are compelled by law to provide **any information requested**. That then creates gossip in a small town, even if nothing comes of the request which was the point of doing it anyway.

CYF putting out a **section 66 request** on me makes getting employment in the Social Services field very difficult if not outright impossible after that happened. This was their very aim in doing so as you can gather by now I hope.

Then that staff member who put that out asks the receiver to address the section 66 inquiries to them personally to slip it past more official and open channels within their office.

Then as happened if a Non-Governmental Organization (**NGO**) does ask why Graeme that individual staff member can claim legal privilege (secrecy) in the hope their employer is not told to create **plausible deniability** for them. If the NGO spoke out of turn they were also worried that might hurt their relationship with CYF and funding. This NGO had no idea if they were the first and only ones to have got the Section 66 request about me. Problem being if they were the only NGO at that time to have received the S66 and it got out they were talking with others about it this would pinpoint them as the source. Given this was all cloak and dagger kind of stuff, they did not want to ask other NGO's or be seen to make a fuss in case it got back to CYF.

So another reason why I went public about the two job interviews was to try and dispel the rumours generated by the **Section 66** request and other mischief-making things some CYF staff undertook as I mentioned in **Chapter four** about tactics.

You see by CYF shortlisting and interviewing me points to the fact the Section 66 request came up with nothing. How, on one hand, could staff imply I was under investigation and, on the other, interview me for a job? I never expected to get the job and anyone who knows me can see my warped dyslexic logic. Going public had

more ups than downs for me by then. So people that say my battle with CYF is sour grapes over the fact they did not employ me have no idea what they are talking about or the real history behind this. The build up to all this started from the year 2000 onwards and to date. So I had nothing whatsoever to lose by going public about my two job interviews. If fact going public brought more information to light I could not have found out as a result of trying any other way.

While some CYF staff has destroyed my ability to get employment but regardless of that I can still make a difference and to that end I carry on despite all their attempts to try and stop me anyway they can, even now as I hear of more stuff they have tried while writing this up.

The Howard Broad review dated June 2013 pointed out the consequences and backlash from CYF for disagreeing or taking them on as they might see it. This kind of thing can be easily justified for having happened as the next article below shows:

*A Child Youth and Family caregiver has been **humiliated** after the organisation **wrongly suggested** she was being investigated for abuse of a child in her care. **The false allegation** was used to prise information about her from a kindergarten and Housing New Zealand.*

*"Auckland regional director of Child Youth and Family Sharon Thom said the agency **was within its rights to ask for such information**"*

*"We have a responsibility to ensure every child in our care is safe and well, including the ability to request information from other government agencies, schools, etc. As this child was in our care, Child, Youth and Family **was entitled to request information from the kindy when concerns arose**"*

"Unfortunately, the wrong form was used when information was sought."

CYF caregiver falsely accused

By Joanna Mathers

5:30 AM Sunday Nov 17, 2013

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11158373

(Heightened bits for emphasis)

You see how CYF were unrepentant and made excuses for this having happen as they would if they got caught doing it again. I know of many more people who they did this to over the years... They can so easily destroy peoples' personal and professional reputations just by doing this one act. These kinds of tactics and behaviours have less to do with keeping children safe and more motivated by revenge from what I see. I know many people besides myself subject to this kind of witch-hunt because they would not play along with CYF or got in their way.

The waters around me have been well and truly muddied. As someone in the know put it to me, the only hope I ever have of being employed in the Social Work field is if the CEO of the MSD would shoulder tap someone and says employ him. Here is the money and I will make sure he remains uninhabited by my staff in doing so.

However I don't expect that to ever happen and in fact if it did I would be restricted by employment contract obligations which would see me have to tone things down. So I am very happy to be where I am at this point in time, as I couldn't have had the impact on CYF I do now any other way I can see. I would rather have been employed, but not at the cost of taking the money and keeping quiet. As someone at Workbridge said, if I got the Placement under mainstream I would be hogtied. So in roundabout way CYF efforts to keep me out of the Social worker field actually helped me take them on as I had more time than ever to do it and they had few ways at their disposal to stop me. Being a free agent did cost me but that was a price I just had to pay and take it on the chin as I do even these days.

Personally speaking I don't think I am cut-out for front line care and protection Social Work per se and think I would have fallen flat on my ass. I like advocacy type Social Work and not at all the care and protection side of it. Now how's that for an ironic admission and if CYF figured that out at the time, I would have been hoisted by my own petard as the saying goes if they had have actually employed me. Any of the Social Workers who know me well can attest to this fact and show how CYF let their best opportunity pass them by at trying to bring me into line. LOL. I bet after reading this they will kick themselves for that now.

Using Sun Tzu, art of war theory really has helped when applied in this case.

Another benefit from the s66 request for CYF having done this is it weakened my support base and one could understand why people would take issues with someone who is on CYF radar protesting against them if it was for good reasons. This was a win-win for CYF either way and no upside from me.

These kinds of actions are hardly Child centred and some CYF staff wasted a lot of time doing things like this.

When you got nothing to lose you might as well try anything and everything that comes to mind to try and get ahead. That's because sometimes things can't get any worse than they already are so they will either stay the same or get better if that's even possible. So you got nothing to lose by trying is the way I see things.

Many months after the first and second interview I got an email from Paula questioning if I did actually answer the disability question on the job application. Turns out as I emailed it in back in Microsoft word there were two version of my application form CYF ended up with from this. .So what I am saying is someone altered my application as I did not securely protect it from changes being made.

I know about the two different version of my one placation because I applied for my file under the Privacy and Official information Act. So what version did the first interview Panel get?

I was told by an informant this was done so I could get fried later on using this:

I certify that the information I have supplied in this application is true and correct. I understand that if I have supplied incorrect or misleading information, or have omitted any important information, I may be disqualified from appointment, or if appointed, may be liable to be dismissed.
--

It's not like after I sent it in one gets to recheck it or even see it again. Now that is crafty of them and just goes to show how they were out to get me anyway they could. Just think had I even got a Mainstream position I would have been dismissed if I was unable to prove I had actually answered the disability/illness question. I never saw that one coming...

Chapter Seven

This section looks at the Petitions and the political solutions we are seeking.

After having nothing but endless problems with the Child, Youth and Family (CYF) complaints system we decided a political solution was needed. That's because I could see no other way as the system needed to be changed owing to the **facts** the purported avenues of redress were not working. By that I mean going to the Office of the Children's Commissioner, Ombudsman even the Family Court had its failings.

Chapters one and **two** of this book highlight the issues around the so called checks and balances within the system and anyone else it's claimed can help you when CYF are involved. If you have read all the chapters to this point I hope it's become obvious a political solution is all that was left as an option for us to try.

Therefore I undertook my first ever Petition on my own. Before this I had helped others in the past with Petitions by gathering signatures and seeing what goes on around the written submissions processes behind the scenes but that was it as far as my involvement.

I decided to add this Chapter into this book to show people the lengths I had gone to in order to try and get the issues within New Zealand's **Child, Protection System** (CPS) addressed. Most of this chapter like the others is based upon a submission for my Petitions to Parliament so they are aware of the lengths I have gone to.

I have heard a lot of people talk about the CPS issues over the years but very few actually try and do anything tangible about getting them addressed. I could not keep on working within a system I knew was set up to fail complainants from its very inception. CYF do have unbridled power and I find it hard to believe that happened by mistake. In this Chapter we will explain more about this and show you what I was seeking as far as results from my Petitions and why.

I started seeking political solutions from 2006 onwards realising CYF nor the Ministry of Social Development (MSD) who had been given oversight of them were going to reform themselves willingly. However the Ministers of Social Development to date from both Labour and National were not so keen to help with that either.

I will also explain near the end of this chapter the inherent difficulties you will face when trying to get Parliament to do anything even at this level using their own processes and to whose ends they best work for.

I should add that in 2006 Judy Tuner from United Future NZ Party was raising concerns with the then current Minister of Social Development Ruth Dyson about CYF. She was the first and only MP since to have done this so there can be no doubt that her more than anyone or anything else was bringing this issue to the forefront. That's what inspired me to start up my first Petition in the hope it might help our common aims. This is what I was getting people to sign....

First Petition: (2006)

To the House of Representatives

Requesting that the House:

- *Establish an independent body, with broad powers, to inquire into all aspects of the Children, Young Persons, and their Families Act 1989 and complaints made about the Children, Young Persons and their Families Service, and that this body, after consultation with parents and the public, have the power to make recommendations for change*
- *Establish a full-time body, with wide-ranging powers, to deal with any complaints made about the practices, procedures, actions or conduct of staff of the Children, Young Persons and their Families Service and enforce any recommendations for change that were recommended by the inquiry body and later adopted by the Government.*

This was never handed in as Ruth Dyson took the wind out the sails by announcing what many of us predicted would be the now proven to have failed **Chief Executive's Advisory Panel (CEAP)** concept around 2007. The CEAP is none of the things I asked for in the Petition and in fact the total opposite. I sent a copy of the petition text to Ruth Dyson so she should have been aware of many of my concerns and wrote to her on a number of occasions to point them out which as you can gather went nowhere.

I believe the CEAP concept was brought in to get the CYF issues off the agenda before the 2008 elections were held. Both I am Bob McCoskrie from Familyfirst seem to have been the only two to openly voice our concerns about the CEAP being within the MSD who also run CYF as well.

I was the first person ever to go before the CEAP in **2009**. I am also the first person to have gone before them twice as happened again in **2012**.

I did also appear with others as their support person three more times. I would have appeared fourth time but I got banned from Vivian Needham which you can read about in **Chapter Five page 187** if you want to know more. However after my one and only outright banning the MSD/CYF backtracked for a while so I supported a few other people as well. Then the MSD tried to ban me again because I went back protesting therefore they issued me with a trespass notice as you can read about in **Chapter three, pages 161 to 164**. However the MSD then withdrew that as well so I again went back many more times to support other.

The reason I say this is to prove I had more than enough experience and knowledge around the CEAP processes in which I believe I can base my views upon.

Anyone with half a brain could predict that having the CEAP within the MSD that also run CYF would not favour the complainants to whom it was there to address their issues.

When this had proven to be the case I started my second Petition which did make it all the way to Parliament this time.

Second Petition: (2011)

CYF Independent Complaints Authority.

Requesting that the House of Representatives establish an independent complaints system for Child, Youth and Family separate from the Ministry of Social Development.

Petition number 2008/121 Year presented 16 March 2011 reported 25 October 2012

Link: http://www.parliament.nz/en-nz/pb/presented/petitions/49DBHOH_PET3061_1/petition-of-graeme-axford-requesting-that-the-house-of

I hope the logic of what we were seeking is self-explanatory as it was based upon many of the issues I seen with the current system.

Recommendation

The Social Services Committee has considered Petition 2008/121 of Graeme Axford, and recommends to the Government that it:

- Investigate establishing an **independent complaints mechanism** for Child, Youth and Family which would be separate from the Ministry of Social Development
- Investigate establishing a mechanism to **monitor complainants' satisfaction** with the complaints process in the Ministry of Social Development and Child, Youth and Family

Source: http://www.parliament.nz/resource/en-nz/50DBSCH_SCR5635_1/e13295edf94c21e91defd08e66b94e1022ac3c0c

Now some of you might think I have done it made my point and time to move on. However the noises I was hearing told me something different. I was aware as happen with the CEAP the MSD was going to set something up that would suit them more than anyone else. Getting the MSD to oversee the setting up of their own oversight I seen as a no-brainer. Given they set up the CEAP and wrote their terms of reference that in effect hogtied them highlights this problem. To then give them another go at setting something up that failed to get right in the first place does seem a little crazy to me.

Third Petition (2012)

Review of New Zealand's Child Protection System (CPS)

To the House of Representatives:

We the undersigned request that the House of Representatives recommend that the Government establish a Royal Commission of inquiry to review all

aspects of New Zealand's Child Protection System including, but not limited to:

- ***The Children, Young Persons, and Their Families Act 1989.***
- ***The independence, roles and functions of the Office of the Children's Commissioner.***
- ***The independence, roles and functions of Social Workers Registration Board.***
- ***The Family Court***
- ***The Families Commission.***

Petition number 2011/33, year presented 25 July 2012 and reported on 25 October 2012

Link: http://www.parliament.nz/en-nz/pb/presented/petitions/50DBHOH_PET3125_1/petition-of-graeme-axford-that-the-house-recommend-that

You will note the link only covers the first paragraph and not the bullet points underneath which were not read out in Parliament. However guess what happened... Parliament accepted my Petition and submissions then unceremoniously shut the processed down and closed it on me because as they seen it:

...The White Paper on Vulnerable Children, released on **11 October 2012**, sets out a program of change for working with our most vulnerable children. It confirms that there will be an independent review of the way the Ministry of Social Development handles complaints about actions taken under the Children, Young Persons and their Families Act 1989, and that an independent reviewer will be appointed to consider whether changes are needed, including a possible independent complaints mechanism.

Although the differently worded petitions appear to seek different things, we are of the view that the matters raised by the petitioner, as evidenced in his submissions, are **essentially similar**. The strategies outlined in the White Paper and the **pending review directly address these matters**. Therefore, we have no other matters to bring to the attention of the House....

Link: http://www.parliament.nz/resource/en-nz/50DBSCH_SCR5636_1/2feb2f9b60c45fcbf334990be735545c7a42e7c

A MP said my submissions for that Petition were hard to follow which is plausible given I have a severe case of dyslexia therefore my literacy skills are not as good as one might hope for this kind of thing. So I questioned why in that case I did not get an oral hearing and shown reasonable accommodation to better explain myself and clear that up in person. The answer I got was because we don't have to give an oral hearing if we don't want to. However to say it was because of my poorly written submission would create all sorts of problems for them including being able to ask why I was not shown reasonable accommodation via an oral hearing. So their easy out was to claim because of the current reviews my petition and submission were pointless.

Now at this point I must say the SSSC totally missed what I was trying to achieve and here is why.

I do have to agree with them on one point and that's this "**Although the differently worded petitions appear to seek different things**" the rest of it they totally missed. For example how can they say on one hand "**essentially similar**" then on the other "**seek different things**" That's double speak or as someone come up with a new word that best describes it "bureaucrap" LOL.

They then claimed that the "**pending review directly address these matters**" which again is incorrect on so many levels.

For people who might not know what this is all about Minister Bennett undertook the Green paper on vulnerable children consultation process in the hope of finding answers to New Zealand's child abuse and family violence issues. After that process all the information was collated and used to produce a report called the White paper. So we went from the **Green paper on vulnerable children** that feed into the **White Paper on Vulnerable Children** and end up forming the Government response to the issues via the Vulnerable Children's Action Plan

Given some of the feedback from the Green Paper it was claimed a review of the CYF complaints system was needed.

A few people contacted me about that as they said the minister stole my thunder by claiming it was because of her efforts rather than mine this needed to be looked at. The fact is the Social Services Select Committee (SSSC) recommendation from Petition 2008/121 was that the CYF complaints system be looked at which the Minister would have to of addressed at some point anyway.

Someone at the MSD took great delight in pointing out she failed to acknowledge that upon her announcement. However I am not worried as the main thing is not how it comes about but rather the result of it all. Before the review even got started Minister Bennett in my view made one fundamental mistake which was this:

It will not re-examine any particular case investigated by the Ministry or CYF complaints panel.

Source: <http://www.beehive.govt.nz/release/independent-review-cyf-complaints-process-underway>

Now given the recommendation from the report into my Petition 2008/121 stated the CEAP lacked "**ultimate complaints' satisfaction**" that did seem a little odd. Minister Bennett claimed for them to look into past cases would pose privacy and natural justice issues Even if one was to believe that excuse as I don't they were not insurmountable issues. In fact the CEAP itself had to take those very things into account as per their own terms of reference anyway...

So again this review was leaving previous complainants out of the loop. The very people one would have hoped might have offered the best feedback from their experiences.

I have a feeling that decision was more about saving face for the MSD/CYF as many of the people that went through the CEAP process got little to nothing out of it at the end from the feedback to me. By that I mean CYF failed to live up to the spirit of the CEAP recommendations which makes going to them for unenforceable results

pointless. The fact I have got two CEAP reports myself (2009 and 2012) and no better off for having gone through the process says it all. I would have had a third hearing and report had the MSD not blocked me from going again as they tried to do the second time around but they had to give in on that after Parliaments report.

The Minister appointed Howard Broad to undertake the review which also focused on CYF and their complaint system which was in my view narrower then I think was ever needed to do the job properly. I knew the reviews terms of reference were inadequate. The review could not look into the Family Court therefore was in-fact blinded to what went on in it. It did not really look into the Families Commission to any great depth or the Office of the Children's Commissioner (OCC) as far as there overall performance. It looked at the OCC as far as its ability to monitor CYF and the CYPF Act 1989 but that's it and not enough as they also have issues that need to be addressed within their own organisation.

In order to try and help the people not covered by the latest review of the CYF complaint system who had gone through the CEAP processes and got nothing tangible out of it I decided to bring my own case before Parliament.

I knew this was very risky as it opened the way for the MSD to have a go at me again under the guise of having to respond.

Forth Petition (2013)

That the House recommend that the Government conduct an inquiry into the Ministry of Social Development's handling of the case of Graeme Axford, and that he be given a reasonable opportunity, due to his disability, to present his complaint in person.

Petition number 2011/52, year presented March 2013 and reported on March 2014.

Link http://www.parliament.nz/en-nz/pb/presented/petitions/50DBHOH_PET3145_1/petition-of-graeme-axford-that-the-house-recommend-that

As far as outcome the Select Committee stated:

“...The Ministry of Social Development acknowledged to us that there have been some shortcomings in the way that Mr Axford's case has been handled by them. The ministry has apologised to Mr Axford **for each of these shortcomings**, and we are satisfied that the ministry has taken **appropriate steps to rectify them**. We consider that the ministry has now addressed Mr Axford's grievances and our consideration of these matters has reached an end. Therefore, we have no other matters to bring to the attention of the House.

”Link: http://www.parliament.nz/resource/en-nz/50DBSCH_SCR6136_1/83ccd2bf89592aa4d2f4c5574c00e8b107dc69b9

Clearly to have believed this the Select Committee must have been spin a yarn as it news and at odds with how I see things. Example “for each of their shortcomings” I doubt that as there would not have been enough hours in the day to have done this. As for the so called apologies let me sum it up with a quote that I think says it all:

You don't really have to be a theologian to know that if you are truly sorry for doing something, repentance includes a commitment not to do it again.

So given the MSD/CYF repeated the same mistakes again that does not seem like much of an apology to me... As for the “**appropriate steps to rectify them**” I would like to know what they were. That report was a whitewash and basically said as long as they apologized they could repeat the same mistakes over and over again. One of the people I took to the Select Committee hearing decided to follow with their own Petition and submission as follows:

In between all of this someone else that had also been before the CEAP put a petition in which was this:

Fifth Petition: (2013)

Requesting that the House recommend that the Government conduct an inquiry into the case of Vivian Needham in relation to her dealings with Child, Youth and Family (CYF) and all the purported avenues of redress, and that she be allowed to present this in person.

Petition number 2011/87 year presented 19 November 2013 and reported on 3 July 2014

Link http://www.parliament.nz/en-nz/pb/presented/petitions/50DBHOH_PET3182_1/petition-of-vivian-needham-requesting-that-the-house

I had input into the wording of the petition but that was it...Sadly it also failed as far as getting the MSD/CYF called to account as we now come to expect.

What I found most interesting about this is the fact for both mine and Vivian's case the Committee elected not to record the MSD appearance in person. That was very odd and clearly what they said in person must have an influence on the outcome as their written submission on their own only tell s small part of the picture. In become obvious the Select Committee has more into helping the MSD/CYF then us. This was the first time that two different people brought their cases before Parliament in regards to CYF yet that seemed to make no difference.

Conclusion

We consider that the ministry has addressed Ms Needham's grievances in accordance with its internal processes. **We recommend that no further action be taken.** We have no other matters to bring to the attention of the House.

Link: http://www.parliament.nz/resource/en-nz/50DBSCH_SCR56639_1/89fff8ab3e019790a019b413b5dfa4e19d39fc4a

Just to overstate this point Ms Needham's also went before the CEAP process and was left dissatisfied afterwards. As the Howard Broad Review dated June 2013 points out the CYF internal processes failed complainants. She disagrees about the fact it was claimed CYF “addressed” anything. In fact some of the CYF staff involved with her case went on to be the subject of many more complaints under very similar circumstances. They reaped even more havoc than ever before knowing they could get away with it. So here I am in 2015 with my last attempt within New Zealand at trying to get a fairer system set up.

In between Ms Needham's Petition and mine some very disturbing and mysterious things happened.

A CYF staff member warned me I was way out of my league and well and truly in over my head if I think I can take them on via Parliament and win. They said the MSD has got all angles covered and can out gun me in every way and by any means possible in that environment. *They were I am assuming referring to being so much more academically/bureaucratically able than I and way better resourced.*

They said for a Select Committee to find the MSD/CYF in error that might embarrass their Minister and they can't have that happening. So in their view either way the MSD/CYF are more than well protected and suggested this will all backfire on me.

Not long after that was said a strange thing happened in that the MSD failed to redact some personal information about myself and some of my supporters and other family members within their written evidence they supplied to Parliament. I am talking about naming people in a way that breached Court suppression laws, giving out unlisted home addresses and telephone numbers etc... Then as we have proven wrong the MSD went on to accuse me of having done this as well. You can see that in this email about the issues here:

MSD responses to their privacy breaches:

From: (identifying information removed)

Sent: Monday, 19 May 2014 9:06 a.m.

To: 'Graeme Axford'

Subject: RE: suppression orders and privacy Breach, going public.

Importance: High

Good morning Graeme

I apologise unreservedly for the failure to redact (identifying information removed) the name from the copy of one of my emails before it was sent to the Social Services Select Committee. As you will be **aware this was not deliberate in any way** as all the documents sent across **were extensively redacted and we took care to do this**. The inclusion of the name on this memo was purely an oversight which got missed. I apologise.

There is no question of any refusal to redact and this will be done as soon as possible. However, it is important that I point out that you had in fact had breached your niece's privacy yourself well in advance of the Ministry's response going up on the Parliamentary website. I am assuming you will be in touch with the Clerk so that you can make your own change.

Once again my sincere apologies for what was an unfortunate and regrettable error.

Thank you

(identifying information removed)

General Manager
Client Advocacy and Review
Corporate and Governance Group
Ministry of Social Development

I sent the MSD a few emails over this as the longer it remained online the more issues it created. Especially when it comes to how search engines cache the information. Therefore, in response to those email came this:

11 June 2014

Dear Mr Axford

Thank you for your emails of 19, 20, 21, 24 and 26 May 2014 regarding the evidence published by the Social Services Select Committee.

*I understand that (identifying information removed), General Manager Client Advocacy and Review has apoigised for the error of not removing the (identifying information removed) name in the evidence provided by the Ministry. **This should not have happened and I sincerely apologise for it.***

As you have been advised by the Social Services Select Committee, it is not possible to alter the documents and that Parliamentary privilege applies. As such, the Ministry is unable to correct this error as you have requested.

You have asked for your email to be treated as an official complaint about (identifying information removed) handling of the Ministry's response to the Social Services Committee.

Nadine Kilmister

Deputy Chief Executive Corporate and Governance

The only way the MSD could have known what the Social Services Select Committee staff told me is if they both talked about it together. The MSD was latching onto the excuse provided by the Clark of the Committee for not being able to correct things. It seemed to me the Committee Clark and the MSD/CYF was trying to cover up the error and/or blame me for it rather than themselves.

The other question has to be how come the Committee staff compounded the errors by not picking up on them before the submissions were made public.

So what the MSD did was they breached the **Family Courts Act 1980**, sections **11B** and **11C** by naming a minor subject to the proceedings which were suppressed. Just as well this person used a different name as they had done so for some time. However I set up a fake facebook profile under the published name to catch anyone trying to contact them for their own protection. People did try and make contact and get information about the case for some strange reason. I closed the account a few months later after the heat died down and I told people trying to get information to piss off...

The MSD more than anyone should understand the Family Courts rules about identifying vulnerable minors subject to proceedings and suppression orders. As the informant within the MSD told me this was done as payback and in the hope it would be a distraction for me. There is a lot more stories I could tell you about this but that's another book in itself. I also run the risk of getting others into trouble if I did so therein will end that side of the story here.

However that's not the end of the issues with the way my Petition 2011/52 and submission was handled. I believe during the processes the Social Services Select Committee failed to show **reasonable accommodation** and in fact did not adhere to their own rules around the **principles of natural justice**. So I wrote a 57-page letter to the Committee pointing this out. This was their response to that:

15 May 2014

Mr Graeme Axford
(addressed removed)
Dear Mr Axford

Petition 2011/52 of Graeme Axford

As you are aware, we reported our findings on the above petition to the House on 13 March 2014. The report noted that our consideration of this petition, and of the matters raised in it, had reached an end. **The petition is no longer an item of business before the committee, and we wish to advise that we will not accept further correspondence in relation to this matter.**

Accordingly, we are returning the correspondence that you provided to our committee clerk on 12 May 2014. Please find this enclosed, along with a copy of the committee's report to the House.

Contact information

If you have any queries about this letter, please contact the clerk of committee, (staff name removed), by email on (email address removed) or by phone on (04) 817 9046.

Yours sincerely

I also then copied that 57 page letter to the speaker of the house which got this response from their office:

From: Lisa Kinloch [mailto:Lisa.Kinloch@parliament.govt.nz]

Sent: Thursday, July 03, 2014 4:36 PM

To: 'talk2graeme@snap.net.nz'

Subject: Response from Rt Hon David Carter, Speaker of the House of Representatives

Importance: High

Dear Mr Axford

I write in reply to your email of 25 May 2014.

One of the matters you raise is the inclusion of names and addresses of individuals in advice from the Ministry of Social Development (MSD), and the subsequent publishing of them on the parliamentary website. You have claimed this breaches the privacy of the people concerned, and MSD has acknowledged and apologised for the inclusion of the names and addresses. While the Privacy Act 1993 does not apply to Parliament, its principles are important and I believe they should be disregarded in parliamentary proceedings only in the most exceptional cases. The names and addresses have now been removed from the MSD advice published on the Parliament website.

In relation to the other matters raised in your complaint, how the Social Services committee determined to consider and report on your petition is entirely a matter for the Committee. The Speaker does not intervene in matters before select committees. Concerns about select committee proceedings must be directed to the committee concerned. I understand that you have already addressed a number of these matters to the Committee and that the Committee has considered them and responded to you. There is nothing further that I as Speaker can do. No further correspondence will be entered into on this matter.

Yours sincerely

*Rt Hon David Carter
Speaker*

**(name removed)
Senior Private Secretary**

Office of Rt Hon David Carter, Speaker of the House of Representatives

The “other matters were around the lack of **reasonable accommodation** and the fact the Committee itself did not adhere to their own rules around the **principles of natural justice**.

There was a discussion that took place with a staff member, wherein they basically said who am I to question them! That’s because I clearly have an intellectual disability (dyslexia), therefore, might not really be able to grasp or be reasoned with on these matters. They also pointed out I was not a lawyer either. What they failed to realize is being a Human Rights advocate since 1989 I was aware of what it meant to apply the principles of natural justice in practice rather than just theory.

So I contacted Dr Tony Ellis for a legal opinion that was 22 pages long and sent that to the Social Services Select Committee. Their come back to that was this response:

4 June 2015
Mr Graeme Axford

Dear Mr Axford

We are writing to advise that we are returning the documents which you have recently sent to us. Accordingly, please find attached the 14 documents which you provided on 17 April and 11 May 2015.

*As you are aware, the Social Services Committee of the 50th Parliament considered Petition 2011/52 of Graeme Axford and reported back to the House of Representatives on 13 March 2014. **We are returning the documents you have provided as they do not relate to an item of business currently before our committee and we do not wish to initiate a briefing into the matter at this time.** We note that the legal opinion you provided from **Dr Tony Ellis** suggests that the most appropriate forum for you to seek a remedy for your grievances with the Ministry of Social Development may be through **judicial review**. We suggest that you consider taking that approach.*

Contact information

If you have any queries about this letter please feel free to contact (staff name removed), the Clerk of Committee, on (04) 817 9046 or by email at (email address removed)

Do you see the irony in their responses?

The Committee is trying to say as I have no active Petition before them, they don't have to consider anything I ask them to. However the Committee could consider what I put before them if they so wished, but of course they did not want to.

However the Select Committee again ignored the two main issues in Dr Tony Ellis Legal opinion about the lack of reasonable accommodation and fact they did not adhere to their own rules around the principles of natural justice.

Given the response from the Committee about taking a "judicial review" does indicate someone did read the Legal opinion as they gleaned that out of it and ignored the reasonable accommodation and principles of natural justice issues. The Select Committee would know it costs a lot of money to take a "judicial review" and if I lost the MSD could go me for their costs as I am told they most certainly would do out of spite.. This is chequebook justice wherein only the rich can afford it.

However I again wrote back to the Committee pointing this all out and got this response:

Final reply:

From: (staff email and name removed)

Sent: Tuesday, **August 04, 2015** 9:44 AM

To: Graeme Axford

Subject: RE: Graeme Axford response to the Social Services Select Committee

Hi Graeme

*Just an email to advise that the Social Services Committee discussed your response of 15 June at their meeting on 22 July. **The committee has decided not to receive your letter dated 15 June, and they also resolved not to receive any correspondence on***

matters that you have previously raised with them, or matters that have already been addressed by them, or by another, committee and reported to the House.

*Yours sincerely,
(Staff name removed)*

*(Name removed)
Parliamentary Officer (Clerk of Committee)
Select Committee Services
Office of the Clerk of the House of Representatives
Te Tari o te Manahautū o te Whare Māngai
DDI +64 4 817 9046
Fax +64 4 499 0486*

So here is what I have done to combat that:

To the House of Representatives

That the House investigates establishing better mechanisms for showing reasonable accommodation that caters for a wider range of people with disabilities when dealing with Parliament.

That's right I first need to be shown reasonable accommodation to even up the odds and get a fairer go. So all going well you will get to read the 57 page letter of mine and Dr Tony Ellis legal opinion as I try to get that introduced as evidence for this petition. However let us not forget the Committee has the right to reject my 57 page letter and Dr Tony's Legal opinion as evidence and to close this petition on me as they have done before.

What I am unsure about is if the Social Services Select Committee as a whole agrees with this as it's got a National Party majority running it. The National Party members can run roughshod over the minority opposition members as combined (NZfirst, Labour and the Greens) they don't have the numbers to stop them. I have as yet to see any opposition to the way I have been treated from anyone within Parliament. They can voice their concerns because as per the "**Standing Orders, 2011**"

Chapter 4: Select Committees

242 Minority views

A select committee may, in its report, indicate the differing views of its members.

I am unaware of them being any to date.

Now I am going to offer you my views on why the Select Committee processes is open to manipulation in the hope if you go there yourself forearmed is forewarned. While I only take snippets from the next two articles I encourage you to follow the links and read them in full.

Trevor Mallard wrote an opinion titled “**Committees need opposition chairperson**”

In brief he suggest submitters are treated poorly given insufficient time and Mr Mallard also argues that this committee is too important to be a political plaything, and that someone who is more independent, and not beholden to ministers, should chair it...

[Last updated 16:08 10/07/2012]

Link: <http://www.stuff.co.nz/dominion-post/comment/7250134/Committees-need-opposition-chairperson>

I have to agree with that even during the oral hearings some MP's showed their lack of interest to the point it was almost off putting.

Sue Kedgley is a former Green MP followed that up with her opinion titled “**Select committees must be more autonomous**”.

I want to draw your attention to this bit:

“...The Government appoints all committee chairs, ensures it has a majority on all key committees and tightly controls their agenda and work. Most chairs meet the minister and other party members of their committee before each meeting, where they receive instructions and work out tactics.

Governments often use their majority on committees to vote down constructive amendments to improve legislation, or inquiries that could be politically awkward...”

[Last updated 05:00 27/07/2012]

Link: <http://www.stuff.co.nz/dominion-post/comment/7357081/Select-committees-must-be-more-autonomous>

I think the Human Rights Commission best summed thing up by their recommendations:

“...Induction and professional development for Select Committee chairs and deputy chairs aimed at strengthening the effectiveness of Select Committees, the dignity of hearings and respect for submitters, and thereby the legitimacy of Parliament.

Link: <http://www.hrc.co.nz/2011/lack-of-public-participation-damages-parliamentary-democracy>

In my view to date since 2006 when I first undertook my own Petition and Submission it been a lot of time money and work for little result let alone reward. I mean here we are heading into 2015 and has anything really changed that I can see. In fact the MSD/CYF got bolder knowing no one not even Parliament would really call them to task. You might ask why that might be. I believe in part this gives us the clue:

Bureaucracy has more power than elected officials”

“As the state is the delegation of power into the hands of the few, it is obviously based on hierarchy. This delegation of power results in the elected

people becoming isolated from the mass of people who elected them and outside of their control. In addition, as those elected are given power over a host of different issues and told to decide upon them, a bureaucracy soon develops around them to aid in their decision-making. However, this bureaucracy, due to its control of information and its permanency, soon has more power than the elected officials. This means that those who serve the people's (so-called) servant have more power than those they serve, just as the politician has more power than those who elected him. All forms of state-like (i.e. hierarchical) organisations inevitably spawn a bureaucracy about them. This bureaucracy soon becomes the de facto focal point of power in the structure, regardless of the official rules. This empowerment of a bureaucracy, and so the marginalisation and disempowerment of ordinary people is the key reason for anarchist opposition to the state..."

Source: <http://www.davidsheen.com/words/anarchy.htm>

You can also see that concept being acknowledged herein New Zealand:

MPs should be pressed over public servants' new ruse

Increasingly, it seems, we are being ruled by bureaucrats.

That's if we allow them to. While it is inevitably the politicians who have to front up and explain to the public just why they thought the bizarre notion they are defending was a good idea, all too often it is some faceless bureaucrat who is the real author and promoter. (Please follow link to read rest)

GORDON BROWN

Last updated 08:30 16/03/2013

<http://www.stuff.co.nz/taranaki-daily-news/opinion/8434122/MPs-should-be-pressed-over-public-servants-new-ruse>

There is also a good book on this topic called "**The Rise of the Unelected**" by Frank Vibert. Well worth a read....

Many of the people who have sought to do be ill remaining behind the screens hide behind the bureaucracy while CEO's and Ministers come and go.

I believe some within the MSD has become what resembling a hereditary caste manipulating the CEO's Minister and Government to their own ends as hinted at can happen by (Laski 1930:70). The fact that the Prime Minister's Chief Science Advisor, Professor Sir Peter Gluckman seems to have concerns about the MSD highlights this possibility.

Ministers get their advice from the Ministry so to find fault with the Ministry might embarrass the Minister and government of that day. I have seen Ministers come and go like Ruth Dyson, Paula Bennett and now Ann Tolley with little changing in-between. There seem to be a bit of you scratch my back I'll scratch yours going on.

The aim and ends I work towards is putting CYF on the agenda until they become truly accountable and to make a difference in the Social Work Field in a way that improves things for families. I believe I have done that given CYF overreaction and orchestrated litany of lies they keep on telling about me as seen in Chapter 5.

It's also been suggested to me by more learned people if you interested in this aspects of things toy read the book titled "**The Rise of the Unelected**", Democracy and the New Separation of Powers" by Frank Vibert.
”

If the MSD/CYF actually spent as much time working with me rather than against me there would have been no need for any of this... and I am not done yet. Sometimes:

You must give up the life you planned in order to have the life that is waiting for you.

- Joseph Campbell.

To that end I have done.

Chapter Eight

True Stories:

I have included this story because people often say give us some more real life examples. This is but one of which there are many more that points to the lack of accountability and shows how when it all goes wrong the people with the most to hide join forces. This case was also covered on TVNZ Close Up program on Wednesday May 2013. It was also mentioned in an issue of the Investigate Magazine on **Oct 05**, titled **"The Girl Who Wants To Divorce Her Parents"**

Source: Posted by Ian Wishart at March 16, 2006 10:08 PM

We are educated parents for whom our family is top priority. Alarmingly, one day we discovered that adult men were having group sex with our 14-year old daughter, so we asked police to prosecute as sexual crimes had been committed. New Zealand Police informed us that they could only prosecute the men under instruction from social services (CYF), so following their advice we reported the matter to social services.

Initially, social services were very supportive of us as parents. We agreed to their suggestion to send our daughter to counselling as we expected that counsellors would reinforce the message we were giving our daughter that she was putting herself in a very dangerous position with the adult men. Three men, all employees of St John Ambulance, once united through an award from the NZ Governor-General, had embarked on a gang pimp crime spree of grooming and underage sex. Police discovered that our child was only one of 5 underage victims of the men. Unfortunately for our daughter and for our family, the CYF counsellors took a very surprising position, deciding that our 14-year old child should be removed from our home so that she could continue to explore her sexuality with the adult men, unimpeded from family influence. The counsellors determined that as parents we had no right to protect our underage daughter from sexual criminals.

Link: http://www.investigatemagazine.com/archives/2006/03/investigate_oct.html

Our experiences when we discovered our underage child was victim of grooming and sexual crimes in NZ

We are loving, capable, committed and well-

1. The CYF Counsellors

CYF arranged for our daughter to be counselled by Dafanie Goldsmith of the Rosa Counselling Trust:

1. The counsellor maintained that the relationship between our 14-year old child and the adult men was *"love and romance"*. Even though the counsellor and her supervisor knew that two of the St John Ambulance men had conducted

serious sexual crimes on our daughter including having group sex with her¹. We were flabbergasted when the counsellor coyly described our child's group sex activities with adult men in this way.

2. After meeting with our daughter only for 30 minutes, the counsellor and her supervisor told us their assessment was that our daughter was "*at the greatest danger in the home environment*". However, they could not tell us why, and what danger she was in at home. Later, the counsellor explained to her counselling association that she had formed extreme negative opinions about the girl's father from the *instant* he walked through the door to bring his daughter to the 30-minute counselling session.
3. The counsellor refused point blank to discuss the sexual crimes with our daughter in any way because she maintained the crimes had no negative effect on our 14-year old child.
4. The counsellor said that it was impossible for any young teenage girl to be negatively influenced by her peers or adult boyfriends, and that the only reason any girl would do what she did with the sexual predators was because of poor parenting, particularly poor fathering. They believed it was impossible for any child to be sexually groomed.
5. The counsellor was adamant that our daughter had a bad relationship with her father. We disagreed strongly with this, our daughter has always had an excellent relationship with her father. However, the counsellor and her supervisor said that this was impossible because if the girl had an excellent relationship with her father she would have told him she was having sexual relationships with older adult men.
6. They taught our daughter to spy on her parents and report back to the counsellor, in their attempt to find the proof of poor parenting their crackpot theories required.
7. After meeting with our daughter for 30 minutes, the counsellor and her supervisor met with us, the girl's parents. We attempted to explain to them the effects of the grooming and the underage sexual crimes on our daughter, however they were totally closed to all our viewpoints and attempts to be heard. The counsellor told us: "*I don't need to listen to you – I've had 20 years counselling experience and I've seen it all before*".
8. The counsellor said she was "*100% certain*" that the reason why the child became involved with paedophile men, was because her father was too controlling. When we asked what the father had done that was too controlling, they replied that they did not know, but that they would find out. They admitted they did not know of a single thing her father had done that was too controlling, and that the girl had not mentioned anything. The crackpot reasoning of the counsellors appeared to be along these lines: the father is a

¹ The names of these St John Ambulance men are in the public arena: Karl Berghan and Sam Brens. Google their names for more information. These two men were given Queen's awards in 2012 by New Zealand's Governor General despite being serial paedophiles. These were their second Queen's awards. You can read about this, and the Paedophile Protection Network that operates within St John ambulance, here:

<http://consumersvoicenz.com/2013/02/21/did-st-john-ambulance-nz-conduct-a-cover-up-of-a-paedophile-protection-network-within-their-organisation/>

successful businessman.....and businessmen are controlling.....therefore the father must be controlling with his family....therefore he is causing the problems his daughter is facing.

9. The counsellor appealed to CYF to immediately remove our daughter from our family, setting off a chain of events that caused considerable long-term damage to our daughter and family. A CYF formal enquiry later found that as parents we have acted in the best interests of our daughter at all times.
10. The counsellor continued to have counselling sessions with our child behind our backs without our knowledge, even though we had forbidden it. The counsellor and her supervisor appeared to be hell-bent with their crackpot ideology on causing maximum damage to our family.
11. A large number of experts (see Appendix 3 below) have told us that our daughter's reaction to the grooming and sexual crimes was typical. However the counsellors said that there was no connection between our daughter running away and the sexual crimes. The fact that when she ran away the first time was the day her parents found out about the adult men, the fact that she was running back to the men every time – the counsellors ignored this, and were adamant that there was no connection between the adult men who were having sex with her, and her running away to meet them.
12. The counsellor and her supervisor have no formal qualifications whatsoever.

A rotten egg in the mix spoils the entire omelette

NZ government departments share secret information amongst themselves regarding “trouble” families². Our problem was that the first egg in the government data omelette was a rotten one, provided by an unqualified counsellor who determined the fate of our family having met our 14-year old daughter for a mere 30 minutes and never having spoken to any other family member. In a UK-televised debate in the House of Commons, Westminster, in 2012, British MP John Hemming was so outraged at the treatment given to our family by counsellor Daphanie Goldsmith that he labelled her a “*bad practitioner*”. Even though counsellor Daphanie Goldsmith has been condemned in the strongest terms by professionals all around the world, the NZ government has no mechanism for changing their secret data. Our subsequent dealings with other government departments indicate preconceived prejudices, the rapid groupthink that set in, and the dangers of secret data sharing.

2. Social Services (CYF)

Social services were initially very supportive of our parental efforts when we contacted them in order for the police to criminally charge the adult men. However, after meeting with our daughter only for 30 minutes, the counsellors recommended

² This flowchart printed in the NZ Herald shows the data sharing between government departments:

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11135781

CYF remove our daughter from her family, and CYF's behaviour toward us changed dramatically:

1. Immediately after meeting with the counsellors for the first time, we wrote to CYF detailing our concerns about the counselling, however CYF did not reply and refused to discuss any aspects of the letter when we tried to bring the matter up with them. After meeting with the counsellors a second time, we again wrote to CYF, and again never received any response.
2. CYF ignored our written request for an urgent meeting.
3. We expected the counsellor to support our position that our daughter was in great danger having sexual relationships with adult men, however the counsellor took the opposite view – that the sexual relationships were good for our young child and that she should be removed to an environment where she could continue her sexual exploits free from the influence of her parents. As soon as we met with the counsellor and her supervisor, we realised they were bogus crackpots, so we informed CYF we were going to stop taking our daughter to the counsellors, and asked CYF to arrange proper qualified counsellors. Karen Goodwin the CYF social worker threatened that if we did not permit our daughter to continue with the counselling with Dafanie Goldsmith, CYF would permanently remove our daughter from our care, and we *“would never ever see her again”*. Karen Goodwin told us that they had already commenced the process to remove our child. CYF thus placed us under considerable duress to continue to take our child to counselling that we knew was causing considerable damage to our child and our family. Our view that the counselling was damaging is supported by a huge number of psychologists / counselling experts (see Appendix 3).
4. CYF Social worker Karen Goodwin accused us of *“putting ideas of prostitution into (our daughter's) head”*. She said she reached this conclusion because we had spoken to the social worker and the counsellor about our concerns regarding our daughter's sexual relationships with older men. CYF wanted us to turn a blind eye to our child's sexual exploits, they wanted us to allow her to continue to be a victim of statutory rape and statutory gang rape.
5. Social worker Karen Goodwin told us (and our 14-year old daughter) that they were going to permanently remove her from our care, and that we would not see her again until she was 16 years old, and that thereafter CYF may permit weekend visitation rights if they felt the parents would behave. She could give us no reasons why. Karen Goodwin told us that we would have no say in this matter. A formal CYF enquiry would later find that we have acted in the best interests of our daughter at all times.
6. We contacted members of parliament to get CYF away from our family, and eventually CYF agreed to leave our family alone.
7. Our daughter has told us on numerous occasions that all contacts she had with CYF focussed entirely on what they told her were her *“bad parents”*.
8. However, the State was not happy that we wanted to hold them accountable for their inappropriate intervention in our family. Realising they had no legal grounds to remove our daughter they secretly encouraged our child to leave home on her own, promising her that when she was 16 the State would

provide for all her needs on condition that she has no further contact with her family.

9. As soon as she turned 16 our daughter left home, and the State financed her to live independently. They even prevented us from paying her school fees. Our daughter moved in with school teacher/church pastor David Hayden, who cut all ties with our family, and told us he would do everything in his power to prevent our daughter ever having a relationship with her family ever again³. Our daughter is now 24 and we have had extremely limited contact⁴ with her since she left home at 16.

We filed formal complaints⁵ against the counsellor and CYF, but this merely elicited more abuse against our family – the complaint handling authorities simply engaged in a litany of lies, shenanigans and cover-ups. As is detailed in Appendix 1, none of the authorities addressed our complaints. A large number of highly qualified, esteemed professionals from NZ and abroad, have written to us that they regard the unqualified counsellors and CYF intervention in our family as highly unethical (see Appendix 3), and that serious atrocities have been committed against our family. Through a litany of lies and shenanigans, the NZ complaint authorities have successfully covered-up highly unethical, shameful behaviour.

3. Three schools collude to isolate a vulnerable child and silence her family

Our daughter, who attended Westlake Girls High school, left home days after her 16th birthday. She moved in with David Hayden the Science teacher at Westlake Boys High school and pastor at Albany Christian Centre (now Inspire Church). The church had encouraged her to leave home. We had never before met or spoken with Mr Hayden, and he did not contact us when our child moved in with him. His wife, Madeleine Hayden was an employee of Kristin School.

1. Only after our child had been in their house for a month, did the Haydens very reluctantly agree to meet us. During the meeting the Haydens made it very clear that they strongly disagreed with our action of pressing criminal charges against the St John men who had committed the sexual crimes against our daughter. We phoned Mr Hayden a week later and he told us that, as he was concerned that Steve Taylor⁶ was monitoring him, he (Hayden) was never going to speak to us ever again. Mr Hayden told us he would do everything in

³ See section 3 below.

⁴ The only contact with our daughter has been very limited and for a short period immediately after the death of our son.

⁵ A summary of our experience with the complaint handling process is in Appendix 1 below

⁶ Steve Taylor informed the Haydens that he was monitoring the situation because he was concerned at the Hayden's behaviour toward our family. Steve Taylor runs 24-7 counselling service in Auckland. Steve later set up a website publishing details of our experience: <http://consumersvoicenz.com/2012/05/31/cyf-rosa-trust-counselling-family-court-endorse-under-age-sex-with-a-minor-close-up-30512/>

Steve has been an invaluable support to us throughout this ordeal for which we are immensely thankful. Steve has spoken to various media about these atrocities.

his power to ensure our daughter never has a relationship with her family ever again. He has kept to his word.

2. Our daughter had been attending sessions with qualified sexual abuse psychologist Christine MacKay. We also went to separate sessions with this psychologist where she informed us of progress - the plan was that as our daughter's condition improved she would eventually attend the same sessions as her parents so that together we could reverse the damage done. This is called family counselling and was a requirement for our daughter to receive the Independent Youth Benefit. Mr Hayden told us that he was going to prevent our daughter attending these psychologist sessions in order to prevent her having even indirect contact with her family (through the psychologist). Our daughter immediately stopped attending the psychologist sessions.
3. The mother, Margaret, telephoned Madeleine Hayden, and pleaded with her (13 times on the call) to meet with us. Each time, Mrs Hayden coldly refused.
4. One week after the Haydens cut off all contact with our family, our daughter filed papers in the Family court to "divorce" her parents. The application is supported by an Affidavit from David Hayden. The court case is a gagging application to silence us and prevent us speaking about anything relating to our daughter. There were no allegations of inappropriate parenting. Westlake Girls High School counsellor Alison Horspool had taken our daughter to YouthLaw to commence these gagging proceedings against her parents and brothers. This school counsellor would support and hand-hold our daughter every step of the way through the court gagging proceedings over the following two years.
5. We wrote to the Principal and Board of Trustees Chairman of Westlake Boys High informing them that their Head of Science David Hayden was harbouring our child and asked them for help. However they simply gave our letter to Mr Hayden and it was used in the gagging court action against us, where YouthLaw lawyer Barry MacLean portrayed our writing to the school principal and chairman as us *"trying to let every boy in New Zealand know that (our daughter) had sex at a young age, so that she could never get a boyfriend"*. See the following section.
6. Westlake Girls High school counsellor Alison Horspool urged YouthLaw lawyers to prevent us from meeting with our daughter's school principal. When we wrote to the principal to complain about this, in reply we received a letter from the school's lawyers threatening that if we ever wanted a relationship with our child ever again, we should drop our complaint against the school counsellor. The school secretly arranged for the JR McKenzie Trust to pay our daughter's school fees, thus further cutting us out of our child's life, even though we were very able and willing to pay.
7. A whole year went by with our daughter having absolutely no contact with any member of her family – not one single word. We telephoned the senior pastor at the Hayden's church, Don McDonell, asking to meet with him. Mr McDonell refused to meet us claiming he was too busy. Nine times during the call, Mr McDonell maintained he knew nothing about our daughter living with David Hayden. This was a lie – Hayden was secretly in the room with him. A few

days later, David Hayden filed an affidavit in the court supporting our imprisonment, for allegedly breaking an interim gagging order (see next section). In the affidavit Mr Hayden wrote that he was present in the room with Mr McDonell, secretly listening to the call from us on speaker.

8. As Mr McDonell refused to meet with us, we contacted AOG NZ, the head office of their church denomination. They also refused to meet with us and said all we can do is pray, and that we may have to pray for 30 years before we would see our child again.
9. Margaret tried several times to speak to her daughter by phone during the years she lived at the Haydens. But every time, the Hayden's picked up the phone and refused to hand it over to our child.
10. After more than a year of no contact with our child, one Sunday, we stood outside their church with placards. We were desperate, concerned for our child - we had to do something – the Hayden's church refused to meet with us and we felt we should alert the church congregation to what was going on. We cleared our placard action with the NZ police beforehand. As we stood in silent protest, members of the congregation shouted abuse at us and tried to intimidate us. Inside the church, David Hayden addressed his congregation making statements along these lines: *"The girl has been a victim of sexual abuse — I can't talk about it because the matter is currently in the hands of the court — she needs to be protected from her family to safeguard her against a pretty serious situation — her parents are the forces of darkness that the Bible has warned about"*. A listener to the above sequence of statements would be falsely led to believe that the parents had sexually abused their child. Members of the congregation shouted words at us indicating they believed we had sexually abused our child. These public statements by David Hayden are clearly defamatory, and clearly designed to shift focus off his heinous role with our family.
11. The following day we held placards outside Kristin school where Madeleine Hayden works. After 15 minutes or so, the school principal Peter Clague came and invited us into his office. We told him our experiences and the Haydens harbouring our child and cutting off all communication with our family. Mr Clague said he would get back to us and we left.
12. The following day we received notification that an urgent court application had been made to imprison us for allegedly contravening the interim gagging order. The application was supported by two affidavits from David Hayden and one affidavit from Kristin principal Peter Clague. We were innocent of the charge and had not contravened the interim gagging order. See next section. These men wanted us to go to prison for seeking contact with our child who we had not been able to speak one word to in over a year.

Three schools, Westlake Girls High, Westlake Boys High and Kristin School, all colluded to ensure our daughter could be harboured in the Hayden's house, totally isolated and cut off from all contact with her



family, while her family are gagged and not permitted to speak to anyone about it. We were in this position for the next two years going through the gagging court cases until we could get a final court hearing and get our freedom of speech back. By that time it was too late, our daughter was finishing school, and we have hardly seen her since. So far, David Hayden got his way of ensuring our child never has a relationship with her family ever again. This period has had catastrophic effects for our family.

For the two years our daughter lived at the Haydens', she was truant from school for much of the time (having never previously been truant when she lived at home), and her school academic results deteriorated very dramatically (from 88% ave at home, down to 42% ave at the Haydens'). Our daughter has testified that she was living totally unsupervised at the Hayden's as an adult with no restrictions. A young, vulnerable, sexually-promiscuous victim of underage sex crimes, totally isolated from her concerned family who are not permitted to say a word about it. What was the real reason why Hayden did not want our daughter talking with a sexual abuse counsellor? We wonder what really went on behind those closed doors of the Haydens' and the motives for isolating our child and silencing her loving, capable, committed family⁷.

1 David Hayden with our daughter

4. The gagging court cases to shut us up

Our daughter refused to give evidence against the sexual offenders resulting in the collapse of the criminal case against three adult men, all employees of St John Ambulance.

Our serious, specific complaints have not yet been addressed, and we were not about to give up on our family. As our daughter has been seriously alienated from her family, her future and the future of our family depends upon us exposing those who have harmed her. It is our only chance of reversing the damage. Top psychologists believe that the alienation is so extreme that our daughter is a victim of Stockholm Syndrome – a condition where the victim turns on those who have her best interests at heart, and protects those who are harming her. The condition occurs infrequently with kidnapping victims as well as under-age victims of sexual crimes. In our family the effects have been severely exacerbated by inappropriate State intervention.

The only way for the State to cover-up the unethical counselling and CYF behaviour, as well as all the lies and shenanigans of the complaint-handling process, was to shut us up – to gag us so that their cover-ups remained intact and the atrocities hidden. So, someone convinced our daughter that her “bad” parents had no intention of seeking accountability for State atrocities, her parents simply wanted to let everyone in NZ know that their daughter had sex with men at 14 in order to prevent

⁷ Details of the 4 tactics of predators, and the extreme degree to which David Hayden took part in these activities, is described here: <http://bit.ly/PPNatMinedu>

her getting a boyfriend. Of course this was a lie. Sadly, our alienated child believed this lie.

What followed within days after the collapse of the criminal trial against the St John Ambulance men, was a chilling series of events. The State financed our daughter (now 16 years old) to take out gagging orders against her whole family – her parents and two brothers – thereby preventing us from seeking accountability for inappropriate State interventions⁸. These gagging orders involved an attempt to set historical legal precedent in New Zealand because it required that she had to legally “divorce” her family and go into State care (even though she had already left home and was already financed by the State) in order to gag her family. As part of her legal case to gag her parents, our daughter testified to the family court that she was victim of sexual crimes by the adult men she had refused to testify against in the criminal court mere days earlier. Our daughter was displaying classic symptoms of Stockholm Syndrome – in the criminal court she had protected those who harmed her (the St John Ambulance sexual predators) and now turned on those who have her best interests at heart (family) in order to protect others who had harmed her (CYF and the counsellors). More details can be read in this cover story of a national magazine:

http://www.investigatemagazine.com/archives/2006/03/investigate_oct.html

A total of 4 separate gagging proceedings were applied for over the next 2 years. After only a short period we had amassed \$50,000 on lawyers fees, and ran out of money, and thereafter conducted our own legal defence for the bulk of the period. In contrast, YouthLaw solicitor John Hancock and their barrister Barry MacLean had an unlimited pool of public funds with which to harass our family in the courts. None of the legal cases taken out against us was ever successful.

In the courts, there were never any allegations of inappropriate parenting – ours was simply a case of the State wanting to silence us so that we could not seek accountability for their appalling interventions. The secret Family court made it very clear that they were quite prepared to send an innocent family to prison in order to keep us quiet at all costs. We were told we needed to be “re-educated”. Our daughter was only present in the court for the day of the final hearing – at all the other hearings she was not present. The lies and shenanigans we had earlier received during the complaint-handling process were to be dwarfed by those directed against us in the secret court. Some say that in a secret gagging court, the rule of law is the first casualty. Here are some of the lies and shenanigans in our court experiences:

1. At the initial interim court hearing, our daughter’s barrister Barry MacLean, launched into a tirade of lies to discredit the mother, Margaret. It comprised vicious vitriol - a 20-minute stream of baseless fabrications. At the end of his tirade, Justice Ryan called a recess for morning tea. When the court re-assembled after the recess, the court was surprised to see that Barry MacLean had left the building with no intention of returning. Having told his lies, he simply left, abandoning the court proceedings. As the opposing barrister was not present, we and our lawyer were now not permitted to

⁸ Westlake Girls High School counsellor Alison Horspool took our daughter to YouthLaw.

address the court. We were thus denied an opportunity to refute Barry MacLean's tirade of lies besmirching Margaret's character. Rather than postponing the hearing or cancelling the hearing as would be required by the rule of law, Justice Ryan closed proceedings and retired to consider his verdict. Needless to say, the verdict was to impose an interim gagging order on us until the full hearing two years later, with severe repercussions for the future of our family.

2. Our two sons were gagged "ex-parte" (without notice) by Justice Clarkson⁹ – our sons were not permitted to be present in court and were not permitted to offer any defence, or even know there was a secret legal case against them. No evidence at all was led against our elder son – he was gagged simply because he was our son. Only partial evidence was presented against our other son, a key component of the evidence that did not fit the gagging application was deliberately withheld from the court. The judge accepted the excuse that the printer ran out of paper! These secret gagging orders unjustly silencing our sons are still in existence today, 8 years later.
3. The court kept us waiting for 2 years until they gave us a final hearing – a long time in the life of an alienated, sexually promiscuous teenager. At one point we were offered a deal – if we voluntarily accept permanent gagging, they would return our daughter to us for three months. We refused. For the State to attempt to trade time with our beloved child in return for our silence about State atrocities, is the most heinous form of blackmail. We asked if we could have a cup of coffee with our daughter. The counsel to assist the court, barrister Emma Parsons (who is supposed to be impartial), replied that she would not put this proposition for a cup of coffee to our daughter because her school exams were coming up, and thereafter it was Christmas. Ms Parsons declared we would have to wait 5 months until she would ask our daughter whether she wanted to have a cup of coffee with her parents¹⁰. In our family, Christmas is a special time for family, however according to the court, Christmas was the reason given to keep our family apart.
4. An application was made by our daughter to imprison us (her parents) for allegedly breaking the interim gagging order. As described in the previous section, after our child had been totally isolated from her family for over a year, we were trying to make contact with her or those enabling her to be harboured at the Hayden's house. The court application for our imprisonment was supported by affidavits from David Hayden, and Madeleine Hayden's employer the Kristin School Principal Peter Clague. As the father Dave was out of town on business, so Margaret attended the court hearing. Our eldest son accompanied his mother, but he was not a defendant. Justice Clarkson opened the hearing by stating that she had not yet had time to read our affidavit submitted in defence of the imprisonment application. However this did not stop the frenzied judge threatening Margaret with immediate

⁹ We have drawn up an affidavit describing Judge Clarkson's illegal actions with our family. It can be downloaded from here: http://bit.ly/Judge_Clarkson

¹⁰ It took about a year for that offer of a cup of coffee to be put to our daughter, however her lawyers insisted that we sign a confidentiality agreement covering the cup of coffee. They wanted to ensure that anything we learned from our child during that cup of coffee remain a secret. We refused to sign, so never actually had the cup of coffee with our child. We still wonder to this day, what were they hiding? What does our daughter know that her lawyers were so desperate for us not to find out?

imprisonment, her first words to Margaret were: *"Give me one reason why I should not send you to jail right now!"* When Barry MacLean our daughter's barrister spotted our son in the courtroom, he urged the judge to also threaten our son with immediate imprisonment in the same way. Justice Clarkson eagerly complied, ordering our son to the stand, shrieking at him that he too would likely be imprisoned immediately. Our terrified son was not even a defendant in the proceedings. At no time was our son accused of doing anything wrong. He was simply the victim of vicious State bullying in order to frighten him into never considering disclosing to anyone what the State had done to his family.

From that day onward we felt unsafe in NZ. The message from the Family court was loud and clear – they would go to *any lengths* to silence us and cover up State atrocities against our family, they demonstrated that they would not be constrained in these efforts by the law or the rule of law. We were innocent yet terrified, and decided that day to flee NZ as soon as the court cases were cleared up. Fearing imprisonment from a court that seemed out of control, we hired a lawyer - she concluded that we would *"never get a fair trial in NZ"*. We had not contravened the interim gagging order, but our lawyer advised that in order to stay out of prison, we should accept a deal on offer – we had to swear that we would never publish a book in NZ about State atrocities against our family, and we had to pay our daughter's barrister Barry MacLean a pile of money. We were innocent, but as we had zero confidence in the integrity of the court, we accepted the deal because prison would seriously affect Dave's international business where most of his customers are in the USA.

5. Three days before the final hearing, our daughter's barrister Barry MacLean presented another affidavit to the court. It was an affidavit by himself, not our daughter. At the final hearing our daughter's YouthLaw solicitor John Hancock read out this affidavit in the courtroom. The affidavit comprised yet another pack of lies. So in response, we presented an affidavit to the court providing evidence that MacLean's 3-page affidavit contained 12 blatant lies, 9 statements of innuendo, and 2 incorrect facts. That's a lot of perjury packed into 3 pages. Justice Ryan did nothing at all about this, and made no reference to the lies, or any other aspect of the lawyer's conduct in his summation.
6. At the final hearing, we were specifically barred from bringing any witnesses for cross-examination. In contrast, our daughter's lawyers were allowed witnesses for cross-examination.
7. Our final hearing lasted a whole court day. We were provided only 20 minutes at the very end of the day to present our legal argument. The whole of the rest of the day was allocated to our daughter's legal team to present their argument.
8. During the final hearing, Justice Ryan, counsel to assist the court, our daughter's solicitor and barrister, openly discussed whether they should declare our daughter a child until she turned 21. Their plan was for the court to then avoid making a decision in our gagging case (which is against the law), and the interim gagging period would continue, silencing us for a further 3 years. CYF had previously stated to the Ombudsman they viewed our

daughter as an adult at 14 (contrary to the law) in order to excuse their behaviour of ignoring the under-age sexual crimes. An adult at 14, and a child until 21? The State wanted it both ways – pure shenanigans to avoid accountability. In the end the court decided they could not extend her childhood beyond the statutory 18 years.

9. During the final hearing, *before we had the opportunity to present our case*, Justice Ryan advised our daughter that if her present gagging application was unsuccessful, she should consider applying for a protection order to gag her parents. The judge, the counsel to assist the court, and our daughter's solicitor and barrister, then openly discussed whether a protection order would be an appropriate tool to gag us, the parents. Counsel to assist the court (who is supposed to be impartial) told us that a protection order would be appropriate to gag us because she said we needed to be "*re-educated*". A protection order has provision for compulsory "education sessions". A protection order would also mean that if our severely alienated teenage daughter ever wanted her family imprisoned, all she needed to do was simply enter the same building as us (such as our home or workplace) - police would then be obliged to immediately imprison us without a trial. Our daughter's gagging application was unsuccessful, and she did thereafter apply for a protection order to gag her parents, however thankfully, this too was unsuccessful.
10. In affidavits to the court, we provided a huge body of evidence of actions severely alienating our daughter against her family – alienating actions by the St John sexual predators, CYF, the CYF counsellors, the school, David and Madeleine Hayden, and our daughter's State-funded lawyers. Our evidence of alienation was backed up by strong, clear opinions from top psychologists. NZ case precedence¹¹ requires a judge to act swiftly and decisively to evidence of alienation of children from parents. However, throughout the two-year period, all our pleas to Justice Ryan to deal with the alienation were totally ignored, even though at one point in proceedings the judge remarked to our daughter's barrister: "*I'm sure you will agree that there has been significant alienation in this case*". Why did the judge not act if he agreed there was severe alienation? We can only surmise that the judge views the alienation of children against their parents as acceptable if it contributes to silencing information about State atrocities.
11. After the final hearing, the judge produced his summation. There is a standard basic format for judge's summations in the Family court. Typically, the judge presents the legal argument from both sides, and then explains why he is deciding for one side and not the other. In our case, we had presented hundreds of pages of legal argument. However, even though the judge found in our favour and refused the gagging application, his summation never mentioned one word about our legal argument, or indeed anything else (such as the alienation) from the hundreds of pages of affidavits we had presented.

In only 3 court appearances, 6 out of the 8 principles comprising the rule of law, as identified by Lord Tom Bingham¹², had been seriously violated. One could expect

¹¹ See for example Jones v Skelton [2007].

¹² Tom Bingham, The Rule of Law, 2011. ISBN: 978-0-141-03453-9

these standards of justice in countries such as Somalia or Zimbabwe. The St John Ambulance men who had committed sexual crimes on our daughter had got off free, but in order to cover up their atrocities, the State came after the victim's parents and brothers with frenzied gusto in order to bully us into silence.

None of the legal cases taken out against us was ever successful. Although, as described, at one point, we did accept a deal to stay out of prison even though we had not contravened the interim gagging order, as our experience gave us no confidence in the impartiality of New Zealand courts.

5. Outcomes for our family

a) Outcomes for our daughter

For several years our vulnerable daughter has been under a constant, intensive brainwashing campaign by New Zealand State authorities, inculcating four main messages:

1. Under-age sex and unconventional sex is a wonderful thing – it is only your parents and the law who are old-fashioned.
2. Your family are “bad” - they are just pretending to seek State accountability, but in reality they are trying to let every male in NZ know you had sex at a young age so that you can never get a boyfriend – you need to do whatever the State says in order to gag your family.
3. You don't need family - the State will take care of all your needs, and imprison your siblings and parents to silence them, if you just give the go-ahead. If it contributes to hiding State atrocities, the State values your wishes and whims far higher than the liberty of your family.
4. Lies, cover-ups and shenanigans will get you everywhere. On the other hand, ethics, openness, truth, love and the rule of law, are for the old-fashioned and as you have seen, the good values got your parents nowhere.

Social services' earlier actions in alienating our daughter against her family when they encouraged her as a 14-year old to explore her sexuality and to leave home, were hugely exacerbated by the numerous court cases to gag us. When the State pits a 16-year old girl against her whole family in 2-year protracted court gagging proceedings, the alienation effects are obvious and significant.

Our daughter is now 24, refuses to have any contact with her family, and encouraged by the State, she has changed her surname. She has told us that her abandonment of her family as well as the court gagging proceedings against her family were to protect the State authorities we sought to hold accountable - classic Stockholm Syndrome symptoms. A description of the State activities which have alienated her from her family, would fill a sizeable book. She survived on State social welfare for a number of years even though her family have always been very willing and capable of supporting her.

Our daughter's lifestyle has clear evidence of the consequences of living independently from good family influence. After she left home, she had a sexual

relationship with a TV presenter/nightclub owner, almost twice her age. We learned this only in 2010, when she sold the sordid details of this affair to a national magazine who published it as a cover story¹³.

Psychologists tell us that severe parental alienation is often permanent – in some cases the victim never overcomes the condition. We regard the State intervention in our family as severe child abuse. Certainly, at the least, Stockholm Syndrome will likely be a long-term condition. Our only hope is that our daughter, who is an intelligent woman, remembers she has a good family whose commitment is unflinching, and who fought tooth and nail for her. If those who alienated our child against her family are exposed, we believe that her recovery will be possible. We are determined therefore, to do everything we can, to expose the atrocities which have been inflicted on our innocent family.

b) Outcome for our eldest son

Our eldest son, a quiet, reserved, sensitive boy, was dealt to with particular harshness and hostility during the secret Family Court gagging procedures. He endured a vicious attack by the judge and lawyer during one court day, simply because he was our son. He was not a defendant in the court that day, he was simply an observer who accompanied his mother. However, a frenzied judge saw fit to order him to the stand so that she could terrorise him by threatening to imprison him immediately, and for no reason but that he was our son. They savagely bullied a defenceless, innocent, frightened young man to ensure his silence, so that he would never dare tell of what the State has done to his family. He had witnessed first-hand what social services did to his young sister, and experienced severe bullying in the secret courts despite never even being accused of doing anything wrong. Like us, he was terrified of a judge who threatened to imprison him simply because he was the son of parents who posed a threat to the State for wanting to seek accountability. Shortly after the court cases our son killed himself.

Ironically, the inquest into our son's death was held in the very same courtroom in which he had been so viciously and illegally bullied several months previously. Toward the end of the inquest, the coroner asked if anyone present wanted to make any comments. The father took the opportunity to say a few sentences about some relevant items we had found in our son's room after his death. Inexplicably, this caused the coroner to lose his temper and he angrily berated the grieving father in front of his grieving family for daring to speak when invited. Insensitive and quite bizarre. Even during our moment of intense grief we were reminded that the conduct of New Zealand's powerful seldom fails to surprise.

c) Outcome for us as parents

We have been married now for over 30 years and regard ourselves as decent, well-respected, honest, devoted, law-abiding parents. Our surviving son is a fine, well-balanced, respectable young man. Before this episode with our daughter, in the history of our family and ancestors, there has never been a divorce application before the courts ever, and no family member had ever received a dollar of State

¹³ Our daughter has now been involved in two independent, inappropriate sexual relationships that had reached the covers of two separate magazines. It is pertinent that our daughter freely published her sexual exploits with the TV presenter (along with her photographs) after she had previously taken her parents to court for allegedly speaking about her earlier sexual exploits.

benefits. Our daughter certainly changed that with her application to divorce her parents and living off State benefits for several years. Encouraged by the State, our daughter has sadly shunned her parents and brothers, and all extended family, ever since she left home at 16. Our experience has been an absolute parent's nightmare. Every now and again we find images of our daughter on the internet, it breaks our heart to see the clear effects of the sexual crimes and unethical State intervention on her behaviour. It is criminal what sexual predators did to our 14-year old child, however the damage caused afterward by the State has multiplied the initial harm for both our daughter and our family, many, many fold. Every society has bad people who commit sexual crimes, however our research indicates that the brutally abusive way we were treated by NZ State authorities is probably unprecedented anywhere in the world in recent history. The appalling, unprecedented pressure on a young teenager to end all relationships with a good family should not be tolerated. Our enquiries suggest that some of the shameful wrongs committed against our family are routine in NZ. There should be consequences for the guilty so that society can learn from our tragedy.

A large number of laws have been broken by the State in their involvement with our family, both inside and outside the secret courts. In effect, we lost two children – one dead and one severely alienated. We have fully documented our experiences, however, through a campaign of terror the State effectively silenced us and prevented us from seeking redress or publicising our ordeal. To date, no one has yet been held to account.

Our multiple secret court appearances left us frightened and afraid, and concluding that it is too dangerous to live in a country where one has no protection from the law – the family courts are NZ's Guantanamo Bay where, cloaked in secrecy, the State does its dirty deeds beyond the constraints of the law and the rule of law. It is absolutely terrifying to realise that a judge will ignore law and the rule of law, and was quite prepared to lock us up for no reason whatsoever and with no evidence. We had endured two years of secret court terror, at the hands of a Stockholm Syndrome teenage victim empowered by a team of State-financed, ideologically-driven lawyers. She was a pawn in the legal team's experienced hands – they callously used her to achieve their own ideological/financial objectives. Even though we eventually won the court cases, the total disregard for proper procedures and disrespect for the rule of law inside the secret court fills us with fear. The very day we won the last court case we began packing our bags – we uprooted our high-tech business, and we fled the country. The business now employs Londoners instead of Aucklanders and creates high-tech products for some of the largest companies in the world. Alan Greenspan regards the single most important contributor to economic growth as being the rule of law. Our company is a fine example of what happens when businessmen lose confidence in courts that have no appetite for upholding the rule of law. The economic consequences for NZ as a direct result of our ordeal are obvious.

A few months after escaping to London, we had the traumatic experience of having to fly back to NZ to bury our eldest son. Perhaps some breathed a sigh of relief – a brilliant, innocent, gentle, decent young man, who has never been accused of doing anything wrong, but was targeted purely because he was our son, would no longer be a threat in exposing the truth about corruption and atrocities.

In 2004, the world was outraged when they discovered the sexual abuses on Pitcairn Island. The world demanded justice. We believe that the time will come when the world spotlight will turn on these horrific atrocities in New Zealand. People around the world will be outraged and will demand public justice. Tourists and immigrants to NZ should be warned that their families may suffer the same fate as ours if they try to protect their underage daughters from sexual criminals or seek accountability for misguided State authorities.

For the sake of our family, we are determined to seek justice for the atrocities committed. The general reaction to our experiences, by influential people around the world, is universally one of shock and outrage. As we continue to seek justice, will NZ authorities go to yet higher levels of shenanigans to try to shut us up, or have we reached NZ's upper limit of corruption and someone with integrity will be bold enough to stand up and say: *"Enough abuse! It is time to deal with the issues raised by this family truthfully, ethically and comprehensively"*? For our part, we will never give up the fight for our family. Never, ever.

d) The future

It is against the law for anyone to alienate a child against her family¹⁴:

- What chance does a young teenager have after being victim of sexual crimes, and then severely alienated against her family in an intensive and prolonged campaign by CYF counsellors, CYF, the Department of Education, a toxic church, and the Family court? Our research suggests the extent of the activities aimed at alienating our vulnerable daughter against her family are unprecedented anywhere in the world in recent history.
- What chance do good, decent parents have of protecting their family against such an illegal onslaught by the State?
- What chance does a country have when the State protects its own through lies, shenanigans and cover-ups when they break the law, and a court not only condones the law breaking and cover-ups but contributes massively toward the alienation?

We wonder if you can begin to imagine what it is like as a parent, who's beloved 16-year old daughter applies to the courts to have her parents imprisoned, because she wanted to prevent us seeking accountability for the illegal actions by the State that alienated her against her family.

As we reflect on our tragic experiences, we identify the underlying causes including:

1. A lack of awareness of the effects on victims of grooming and underage sexual crimes by criminal gang pimps. We notice a growing awareness in the UK about these effects. Our daughter's reaction was typical. Sadly, this awareness is largely lacking in NZ.

¹⁴ See for example, Sec 5(a), Sec 5(b), Sec 5(c) and Sec 5(d) of the Care of Children Act 2004; Articles 3, 5, 16, 18, 19, 34 and 39 of UNCROC, as well as the preamble to UNCROC. In addition to Acts of parliament and International Conventions, there is also growing case history obliging NZ courts to act against those alienating children from their family, such as Jones v Skelton [2007]. Numerous other Acts and Conventions have been contravened in actions against our family by the State and others, such as Sec 4(5a) of the Care of Children Act 2004; Article 12, 16, 26 of UNDHR; Article 23 of ICCPR.

2. The hijacking of the international concept of *“best interests of the child”* by NZ State authorities. In NZ, the State determines what is in the *“best interests”* of a child – parents have no say in the matter. So for example, if a NZ State authority determines that it is in a 14-year old child’s *“best interests”* to have underage group sex with adult men, the parents are powerless to intervene. If a State authority determines that it is in the *“best interests”* of a child that her parents and siblings are silenced, a complicit court will go to extraordinary lengths to ignore the law and the rule of law in order to suppress information for as long as they can get away with it. In this way, *“best interests of the child”* is used by NZ State authorities to encourage and facilitate illegal underage child sex, and cover-up State atrocities when parents complain. Used in conjunction with the privacy laws, the *“best interests”* concept allows any NZ State authority to do whatever they like with someone else’s child, and then to keep it secret.
3. The malicious nature of individuals we were unfortunate to come across, eager to go to extraordinary lengths to inflict maximum damage and misery on an innocent family.
4. Powerful anti-parent and anti-family sentiments in some sectors of NZ society such as within CYF and the Family court, providing an environment where malicious, dangerous individuals thrive with unchecked, frightening powers.
5. A total lack of accountability in NZ. Significant mechanisms are entrenched to ensure non-accountability (see Appendix 1). Lies, shenanigans and cover-ups are the standard modus operandi of NZ’s official complaint processes and the Family Court, and the rule of law is practically non-existent inside the secret court.

Germany had it’s Nuremberg trials, South Africa had it’s Truth and Reconciliation Commission - hopefully one day society will have a just forum where families such as ours can seek redress. We believe this is our only chance to begin to reverse the damage to our daughter. Our life goals have been shattered, and never a day goes by without us suffering the consequences of the actions of social services and the secret family court.

Our experiences raise several important questions which society needs to address, such as:

1. Should parents have the right to protect their children from sexual criminals?
2. Should false allegations of child abuse be treated similarly to false allegations of rape – a criminal offence attracting a prison sentence?
3. Why is a fabricated, vitriolic personal attack against a complainant so effective in NZ in defending against serious, specific complaints of unethical behaviour?
4. Should a school teacher be permitted to harbour a school child sex victim, isolated from all contact with her loving, capable, committed family, for over two years?
5. Should the State be permitted to gag an innocent family in order to cover-up illegal and reprehensible State activities?

6. What recourse does a family have against illegal activities committed against them inside a secret court?
7. When last was a NZ judge or lawyer imprisoned for contempt of court? Who poses the greatest threat to society: (a) a gang of St John child sex offenders? (b) a State department that facilitates paedophilia? (c) a judge who ignores the law and the rule of law in order to hide State atrocities?
8. Society abhors child abuse, rightly dealing harshly with parents who abuse their children. Should the same harsh penalties also apply to State employees and their representatives who cause severe child abuse through illegal and inappropriate intervention?
9. How do the actions by NZ authorities to cover up their child abuse in our family, compare with the Kahui “tight five”¹⁵ – lies, shenanigans and gagging to cover up and avoid accountability for those responsible for child abuse?

6. Appendix 1: Results of the complaint process – lies, shenanigans and cover-ups

Our first port of call was the police:

a) The NZ Police

We reported the sexual crimes against our 14-year old child at the Orewa police station. They told us to deal only with Police Youth Officer Kevin Raynes. Both this Youth Officer and Orewa police staff told us that they could not do anything about the sexual crimes, as they could only act under instruction from CYF.

- When our 14-year old child ran away from home, both Police Youth Officer Kevin Raynes and Orewa police station staff refused to help locate her, even though they believed she was probably with the St John men and more under age sexual crimes were being committed. We were totally on our own, desperately combing the streets and beaches on the North Shore, phoning all her friends, throughout the days and nights she was missing. Some individual police officers clearly appeared to derive pleasure from our distress.
- After eventually receiving instruction from CYF, Detective Sheryl Burrell of the Orewa police CIB, took charge of the sexual crimes investigation. She took a full, signed statement from our daughter detailing the sexual crimes against her. However, this statement was not used in the criminal trial against the St John ambulance men, and nor were statements from the other under age victims. When TVNZ later contacted Detective Sheryl Burrell asking for an interview, she denied all involvement with the case.
- Our daughter testified during the Family court gagging actions against her parents, that the police did not want to press criminal charges against the adult

¹⁵ http://en.wikipedia.org/wiki/Cris_and_Cru_Kahui_homicides

St John employees for the sexual crimes, and only reluctantly did so “*because of pressure on the police by my father*”. The criminal case against the St John men was aborted because our child refused to testify in court (there were no screens and she was seated alone in the witness box directly in front of the three accused adult men), and police had failed to locate the other 4 under age sexual crime victims to notify them of the criminal trial court date.

- Days after our daughter left home at 16, Detective Sheryl Burrell came to our house and demanded our child’s passport so she could give it to our daughter. We refused to hand it over as several months before, our under age child had tried to run away on a 4-day jaunt to Sydney’s red light district Kings Cross, with a group of adult men she had never previously met. Detective Sheryl Burrell left our house without the passport, saying she would give our child the birth certificate we had provided police (as evidence for the sexual crime prosecution), so that our daughter could use her birth certificate to get a passport. We did not think it appropriate for police to assist our 16-year old school child to leave the country.
- In Sept 2012, a junior detective at NZ Police HQ shoddily concluded that the St John men had been convicted. This was incorrect and unfortunately formed the basis of the police position for a short period. To their credit, police did apologise when they realised the error.

As a senior NZ MP David Cunliffe wrote: “*It seems incredible that the issue was not dealt with prima facie on the basis that your daughter was 14 when the issue began*”.

Our dealings with other Bodies

In addition to going to the police, we also filed complaints against the agencies involved with our family.

The effects of the sexual crimes on our daughter were fairly typical of that of most under-age child sex victims, one effect being that she turned against her family who had uncovered her secret exploits. As described, social services and the counselling they arranged, compounded and exacerbated our daughter’s condition, making matters far, far worse for our family.

In order to counteract the negative effects of social services and the unethical counselling, we submitted a formal complaint against CYF and their counsellors – we felt that our daughter’s condition would be eased, and our family situation would be helped, if it was recognised that our daughter had experienced unethical counselling and inappropriate intervention by social services.

We are not complainers. Before this episode with our daughter, we had never complained about anything in our lives. However, when we submitted a formal complaint, and the authorities did not deal with our complaint, our only option was to submit the complaint to another body. This is the reason for the extended process we followed as outlined here.

Whenever we submitted a complaint, we focussed only on specific, observable and measurable behaviours of CYF and their counsellors¹⁶. We excluded from the formal complaint all issues relating to personalities, any feelings/impressions about the person, value judgements, etc. All of our complaints were serious, none were trivial. The complaints we submitted were in this sense quite clinical – they simply described the facts, the specific, observable and measurable behaviours, and asked whether those behaviours would be regarded by the complaint-authority as ethical or not.

b) Complaint against the CYF counsellors to the NZ Association of Counsellors (NZAC)

- We submitted a 32-page document detailing 23 specific complaints against the CYF counsellors, to the NZAC.
- According to their complaint process, the NZAC gave a copy of our complaint to the counsellors and asked them to respond in writing. The counsellors submitted their response to the NZAC.
- Without permitting us to see the counsellors' response, NZAC Ethics Committee Chairperson Sheena Hudson decided that the counsellors had acted ethically and decided not to hold a hearing to investigate our complaints. They informed us of this in a two-line letter with no reasons provided. When we asked the President of the NZAC for their reasons for their decision, he simply asked us not to communicate with him ever again.
- Months later, we received a copy from the NZAC of the counsellors' submission in defence of our 23 specific complaints. From this we learn that the counsellors' submission to the NZAC:
 - o Is 21 pages long, and only 9 lines of their response deals with our complaints. In these 9 lines only 3 of our 23 specific complaints are addressed. These 3 were not the most serious of our 23 complaints. The counsellors simply deny the 3 complaints, without any evidence or specific elaboration. Our remaining 20 complaints are totally ignored. The NZAC had determined that their counsellors had acted ethically even though 20 out of our 23 serious complaints are not addressed at all by their counsellors.
 - o Apart from the 9 lines referred to above, the remainder of the 21 pages of the counsellors' submission comprises a vicious, personal attack on the father. Their attack is non-specific, not based on any facts, and brimming with vicious vitriol. They admit to forming an immediate disliking to the father the *instant* he walked in the door to bring his daughter to the first counselling session. Most ethical counsellors and psychologists would find this instant negative conclusion about someone as highly unethical, however the NZAC accepted this vicious, personal attack as evidence that the counsellors had acted ethically. The NZAC have never given us an

¹⁶ After a 25-year career as a corporate behaviour modification trainer, the father Dave is highly qualified in accurate real-time recording of specific, measurable and observable behaviours. He took comprehensive notes at all meetings. Dave has 3 university degrees and the mother Margaret has a degree in psychology.

opportunity to refute the personal attack by their counsellors. Many qualified counsellors/psychologists have written that it would have been unethical for the CYF counsellors to counsel our daughter if they had such intense negative feelings about her father.

- The uncensored portion of the counsellors' submission to the NZAC contains 14 blatant and significant lies – all designed to portray the father in bad light. Some of these lies could easily have been refuted by the NZAC simply by comparing documents in their possession. The NZAC either did not do this comparison, or perhaps they find it ethical for their counsellors to tell lies.
- We wrote to 6 other counselling/psychological associations in NZ, the UK, USA, South Africa and Australia, and all regarded the counsellors' behaviours with our daughter as highly unethical. None could foresee any scenario where the counsellors' behaviour could possibly be considered ethical. For example, Dr Tlou, the President of the Psychology Society of South Africa, strongly believes that our daughter's counsellor and her supervisor should be criminally charged.
- We wrote to about 50 esteemed psychologists/counsellors/academics in NZ and around the world – all replies indicated that in the opinion of these experts, our daughter's counsellor has acted highly unethically (See Appendix 3 below).
- The NZAC process of handling our complaint has been widely condemned in the strongest terms by numerous counselling authors/psychologists/academics/counsellors. Without exception, they all regard the NZAC process as highly abusive toward us (See Appendix 3).
- Later, the mother, Margaret, submitted a 35-page letter to the NZAC asking them to re-examine their earlier decision not to hold a hearing into our complaints. The letter contained comments from about 50 esteemed and qualified psychologists/counsellors/ academics from around NZ and overseas, condemning in the strongest terms the counsellors' handling of our daughter. The NZAC Ethics Committee Chairperson responded that they cannot hold a hearing because, she alleged, Margaret's letter does not name the counsellor involved. Actually, the counsellor is in fact clearly named 104 times in Margaret's letter! We felt like we were guests at the Mad Hatters tea party.
- We emailed a large number of NZAC members informing them of this conduct by their Ethics Chairperson, and their pretence to not know the name of the counsellor. The NZAC respond to our email action in their next newsletter, by reassuring all their members that they are indeed currently investigating our complaint. So we contacted the NZAC to ask them if the newsletter statement is true – are they investigating our complaint? The NZAC replied that they are not investigating our complaint and have not done so since our original application almost a year earlier. In order to mislead, the NZAC Ethics Committee thus lied through their newsletter to all their 2500 members.

Surely it would have been more ethical for the NZAC Ethics Committee to simply address our specific, serious complaints rather than go through all these lies and shenanigans?

c) Complaint against CYF to their Regional Manager

- We submitted a document containing 24 specific complaints against CYF to their regional manager – all observable, measurable, specific, and serious behaviours.
- CYF Regional Manager Peter Topzand initially tried to dissuade us from submitting the complaint, because of “*all the paperwork involved*”. We submitted it to him anyway. Peter Topzand responded that CYF had acted according to best practice – he made no attempt to address any of our 24 specific complaints.
- Alarming, in his reply, Peter Topzand accused us of child abuse. CYF had never mentioned anything regarding child abuse allegations when we were dealing with them, the accusation was only made long after our involvement with them had ceased, and only *after* we had filed the formal complaint against them. The accusation was non-specific and unsubstantiated - it did not contain any further detail about what he determined was “child abuse”. Knowing that nothing we had ever done could possibly be construed as child abuse, we immediately took his allegation to the NZ police and asked them to charge us with child abuse so that we could clear the matter up. However the police refused - they said we could not ask to be charged with an offence. This placed us in the unenviable position of being accused of a serious allegation by the State, and having no avenue to clear up the matter. Nothing further ever came of the accusation, we would never find out any specifics of the allegation, and suspect it was nothing more than a complete fabrication and smokescreen on the part of CYF. An Ombudsman enquiry later acknowledged that the child abuse accusation by CYF was false, and that CYF themselves had acknowledged the accusation as false. However the accusation would prove very valuable for CYF later in defending our complaints against them (see below). We subsequently discovered that false allegations against parents is a fairly common tactic with CYF. Falsely accusing loving, caring, capable parents of abusing their own child is a heinous act – we believe that false allegations of child abuse should be treated in the same way as false allegations of rape, a criminal offence with prison penalties.

Surely it would have been more ethical for the CYF Regional Manager to address our specific, serious complaints rather than ignore our complaints and make false allegations against us?

d) Complaint against CYF to their internal complaint authority

- As Peter Topzand would not deal with our specific complaints, we elaborated it into 65 specific, serious complaints and formally submitted it to the CYF internal complaint department. Their report drawn up by Eve Fone:
 - Provides the most feeble explanations to only 9 of our 65 complaints. These 9 are not the most severe, and we doubt their feeble explanations would convince anyone.
 - Completely ignores our remaining 56 serious, specific complaints.
 - Contains 7 serious blatant lies. Some of these lies can be confirmed by the NZ Police. The police are furious at how CYF blatantly lied about us in order to fabricate false evidence of poor parenting. In addition to the lies, the CYF report also contained 9 deliberate distortions of the truth

designed to mislead, 5 instances of clever wording and innuendo designed to cast aspersions on us as parents, and 4 incorrect facts.

- To her credit, Eve Fone concluded that as parents we had acted in the best interests of our daughter at all times. However, this is incompatible with her finding that CYF and the counsellors had acted ethically. If we were acting in the best interests of our daughter, why is it ethical for the counsellor to conclude that our daughter is *"in the greatest danger at home"*, and why is it ethical for CYF to take actions to remove our daughter from her home?
- Cabinet Minister Ruth Dyson personally insisted that our now 15-year old daughter had to read the CYF internal report before her parents who submitted the complaints, were permitted to read the report – she wanted our alienated daughter to read all the lies, distortions of the truth and aspersions her department had made about her parents, before we would be able to react to it. Our daughter had been previously seriously alienated by sexual criminals and then by the CYF counsellors and social worker, now the NZ Cabinet Minister personally stepped in to continue the extensive alienation of a vulnerable child against her family.

Surely it would have been more ethical for the CYF internal complaint authority to simply address our serious, specific complaints rather than engage in all these lies, shenanigans and further alienation of our daughter?

e) Health and Disabilities Commissioner complaint

- We filed a complaint with the Health and Disabilities Commissioner however he determined that he could not investigate because the complaint was made by the parents and not the 14-year old child herself. Our complaint was that the counselling had deliberately alienated our daughter against her parents. A 14-year old would not have the maturity to submit a complaint about counselling, and one whom the counselling had alienated against her parents and made victim of Stockholm Syndrome would be highly unlikely to complain that the counselling was unethical.

Using this suspect reasoning, the Commissioner would not be able to investigate any health provider who acted negligently or unethically toward a child or infant. Surely it would have been more ethical for the Commissioner to address our serious, specific complaints rather than rely on shenanigans to avoid addressing them?

f) Children's Commissioner Complaint

- We filed a written complaint to the Children's Commissioner, and never received any reply from them. They chose to simply ignore our complaint. The Families Commissioner Dr Rajen Prasad had written to us that he found our experiences at the hands of the State *"deeply concerning"*.

Surely it would have been more ethical for the Commissioner to address our serious, specific complaints rather than simply ignore us?

g) “Investigation” by the Ministry of Education into psychologist Maryke Lind

- Maryke Lind, a psychologist employed by the Department of Education recommended that our now 16-year old daughter be paid the Independent Youth Benefit (IYB) so she could live away from home, despite the pleas of our family that it would not be in our daughter’s best interests. Unfortunately, Ms Lind decided that as she had met with our daughter for one hour, she knew more about our daughter’s needs than our family did.
- Ms Lind had one criticism of our parenting - she was very critical that we drove our daughter to school every day in a car. The school principal had specifically asked us to drive our daughter to school every day so that she would not mix with a bad element on the bus (one of the St John ambulance men who had conducted the sexual crimes). Ms Lind regarded our driving our child to school, thus protecting her from sexual predators, as grounds to provide our daughter with the IYB.
- Our daughter only wanted the money so that she could live away from home and continue sexual relationships with older men away from the influence of family. Ms Lind did not accept this, she maintained our daughter just wanted a short break away from family. Unfortunately, the evidence we have seen shows our daughter living a very inappropriate lifestyle while on the IYB.
- Three months after our first meeting with Ms Lind, she phoned to arrange a second meeting with us. We taped the call, as Ms Lind told us repeatedly that it would be pointless for us to meet with her, as she was going to disregard everything we would say. However, protocol demanded that she offer us a meeting.
- When we met with Ms Lind again three months after the first meeting, we presented her with graphs showing that our daughter had been truant from school for much of the 3-month period that she was paid the State IYB (and never truant when she had previously lived at home), and our daughter’s academic school performance had deteriorated markedly over the 3-month period. Our daughter had also refused to attend the family counselling which was a pre-requisite for receiving the State money. In the meeting, Ms Lind admitted to us that she had lied to us in order to withhold her report. Ms Lind was furious that we had presented evidence proving that the IYB was not in our daughter’s best interest, and she lost her temper and started shouting nasty things at us in the meeting, to such an extent that her supervisor had to tell Ms Lind to shut up, the supervisor apologised to us, and told us that the process to determine whether our daughter would receive the IYB would re-start from scratch with another psychologist. The supervisor also told us that if we filed a complaint, they would investigate Maryke Lind’s handling of our daughter. Needless to say, the process did not re-start as the supervisor promised, and we were never invited to another meeting with the department again. They continued to give our daughter the IYB illegally, without consulting us, for the following 6 years.
- Before we could file a complaint against Maryke Lind, we received a letter from the head of the department, informing us that they had already conducted not one, but two “independent” investigations into Maryke Lind’s handling of our daughter. And the findings of their investigations.....everything was done according to best practice! We had not been involved in the investigation process

at all. Even though we possess the only tape recordings of the two meetings and a recorded phone call with the psychologist, the department did not ask for this evidence when they conducted their “investigations”. They did not ask our thoughts on the psychologist or the process at all. When we asked what the parameters of the investigations were, and who conducted the “independent” investigations, they refused to tell us! They also refused to give us a copy of the outcome of the two “independent investigations”. Clearly there were no proper investigations at all, but simply a cover-up to protect their psychologist so that she remains unaccountable. This feeble attempt at cover-up would all be quite funny were it not so pathetically tragic, and so typical of a NZ government department “investigation”.

As Maryke Lind’s actions had been directed at our family, surely it would have been more ethical for the Department of Education to involve us in some way in their “independent investigations”? Clearly the psychologist was more interested in damaging our family than in the best interests of our daughter.

If the department is so convinced their psychologist acted properly, perhaps they won’t mind if we release anonymous transcripts of the tape recordings we have of the two meetings and a phone call with their psychologist, Maryke Lind?

h) Ombudsman complaint

- We submitted a complaint to the Ombudsman Mel Smith regarding CYF handling of our daughter. It took a year and a half to get the Ombudsman’s report – a long time in the life of an alienated teenager. The Ombudsman role is to ensure the State departments abide by the law. However, in his report, the Ombudsman made it clear that NZ law does not apply to CYF – including laws that are enacted purely for State departments:
 - For example, the law states that a State department has to respond to an official information request within 20 days. In our case, it took 248 days for CYF to respond, clearly not within the law, however the Ombudsman found this acceptable.
 - In another example, NZ law defines a child as a person under 18 years. CYF however regarded our daughter as an adult and not a child when she was 14. The Ombudsman found that this was acceptable, even though it is contrary to the law.
 - Ombudsman Mel Smith wrote in his report that it should not have been threatening to us as parents when CYF said they would take our daughter and we would “*never ever see her again*”. He disagreed with our view that this statement by CYF was threatening for parents.
 - The Ombudsman found that it was acceptable for CYF to unilaterally break the terms of a written contract with parents.
 - The Ombudsman found it acceptable for an unqualified CYF counsellor to ignore the effects of serious sexual crimes on our 14-year old daughter.
- On some points, the Ombudsman gives as his reasons for not upholding our complaints, that CYF are social workers and parents are not, therefore, his

circular reasoning goes, whatever CYF chose to do is appropriate because they have specialist insight. So, for example, according to the Ombudsman, CYF were entitled to ignore the effects of serious sexual crimes on our 14-year old daughter because apparently the unqualified counsellor has some special insight. The Ombudsman knew that a large number of qualified psychologists/ counsellors/ academics found to the contrary. According to this scam, social workers can never be held accountable for anything¹⁷.

- On some points, the Ombudsman gave as his reasoning why CYF are permitted to ignore the law: because they later accused us of child abuse. The Ombudsman acknowledged that the child abuse accusation by CYF was false, and that CYF had acknowledged the accusation as false. However, his reasoning was that because CYF had accused us of child abuse, they were entitled to do whatever they liked with our family, regardless of the law. This conclusion by the Ombudsman is contrary to the law. What the Ombudsman conveniently neglected to point out however, was that the false child abuse allegation was only made long after CYF had ceased involvement with our family, and only *after* we had submitted the formal complaint against CYF. CYF had no record of any child abuse allegation on their file on us in their computer database. We now understand that false allegations of child abuse are a common strategy of CYF in order to avoid accountability.
- The Ombudsman's report also relied heavily on the finding of the NZAC Ethics Committee that their counsellor had acted ethically even though he knew the NZAC had not addressed our complaints and had not conducted a hearing.

Surely it would have been more ethical for the Ombudsman to address our specific complaints according to the law rather than: (1) ignoring the law, (2) relying on CYF accusations he knew were false and made after the fact, (3) relying on an NZAC finding he knew did not investigate our serious complaints, and (4) relying on the circular reasoning that if CYF do something therefore it must be appropriate? Perhaps he realised that if he did the right thing and wrote an ethical report it would jeopardise the award (Companion of the NZ Order of Merit) he was due to receive immediately after he completed our report.

i) NZ Teachers Council

We tried unsuccessfully to file a complaint with the NZ Teachers Council for the actions described in section 3. However, the Manager of Teacher Practice, Andrew Greig, refused to even read this document because it is *"too long"*. Mr Greig insisted that we identify our daughter in the complaint. We cannot do this as it is against the law for anyone to identify a victim of underage sexual crimes. The complaint would be sent to David Hayden, Alison Horspool and Peter Clague, the very people who had earlier been so instrumental in the two-year gagging proceedings against us for allegedly identifying our daughter. We could not therefore submit a complaint as we were not prepared to break the law as the Council required. Yet again in our ordeal,

¹⁷ US President Richard Nixon in his infamous 1977 quote, said: *"When the President does it, that means it is not illegal"*. Ombudsman Mel Smith, whose job it supposedly is to hold social workers accountable, used the same pathetic reasoning as Nixon, to absolve social workers from all accountability.

the privacy of an underage sex crime victim, is used to cover-up and protect the guilty¹⁸.

j) NZ Ministry of Education

Ministry of Education executive manager Katrina Casey is quite comfortable that our child lived with a school teacher for two years, totally isolated from all contact with her family. The Ministry are also comfortable with this teacher's role and the schools' role in silencing our family (see sec 3) and preventing us from speaking about what was going on.

k) Conclusions

So there you have it – not one of the “independent” complaint authorities found any merit in any of our complaints or component thereof. Not one of the “independent” complaint authorities ever asked us any questions. No clarification questions. No elaboration questions. No question on a matter not raised. No question to confirm or refute any claims from the person complained about. Not-one-single-question. Yet so many experts outside of these complaint authorities were so adamant of serious wrong doing against our family (see Appendix 3). There is only one explanation for this, which should be quite obvious.

7. Appendix 2: Media Coverage

- The Close Up program broadcast on New Zealand's TV1 on 30 May, 2012:
Part 1 (8 minutes): <http://bit.ly/TVNZ-StJohnPaedophile-1>
Part 2 (7 minutes): <http://bit.ly/TVNZ-StJohnPaedophile-2>
TVNZ's Facebook site for over 300 comments from the above TV program (scroll down to 30 May 2012): <http://www.facebook.com/closeup>
- Recordings from the 6 hours coverage this issue received on 31 May 2012 on NewsTalkZB, the most popular radio station in NZ, can be obtained by writing to 24-7@maxnet.co.nz
- Investigate magazine October 2005, cover story, *The girl who wants to divorce her parents*:
http://www.investigatemagazine.com/archives/2006/03/investigate_oct.html
In the subsequent 3 issues, the magazine printed a total of 8 pages of letters to the editor from concerned readers.
- TVNZ One News on 30 May 2012, *Shock after counsellor approves underage relationship*:

¹⁸ The Paedophile Protection Network that operates within the NZ Ministry of Education and the NZ Teachers Council is described here, along with the names of individuals concerned: <http://bit.ly/PPNatMinedu>

<http://tvnz.co.nz/national-news/shock-after-counsellor-approves-underage-relationship-4904575>

- Sunday Star Times on 8 January 2012, *Alleged teen sex groomer in line for top award*:
<http://www.stuff.co.nz/dominion-post/news/6227034/Alleged-teen-sex-groomer-in-line-for-top-award?mid=578>
- Sunday Star Times on 22 January 2012, *Family furious after second award after sex case*:
<http://fairfaxmedia.newspaperdirect.com/epaper/showarticle.aspx?article=8895c6e0-154e-4f3f-aecb-8afb39663276&key=sL5IMIWI6rPhMEGm49NckA%3d%3d&issue=15432012012200000000001001>
- Press release published in Investigate magazine on 22 January 2012, *St John's Ambulance promotes award for alleged child sex offender*:
<http://www.investigatemagazine.co.nz/Investigate/?p=2273>
- Website coverage:
<http://consumersvoicenz.com/2012/05/31/cyf-rosa-trust-counselling-family-court-endorse-under-age-sex-with-a-minor-close-up-30512/>
- Infographic: Comparison of approaches to paedophilia in Australia, the UK and NZ:
<http://bit.ly/Infographic-paedophile-approaches>
- Infographic: New Zealand's Shame:
<http://bit.ly/NZshame>

8. Appendix 3: What others have commented about our ordeal?

The following, in alphabetical order, are some of the written comments we have received:

Paul Adams, Member of the NZ Parliament: *"My heart goes out to you. This is an absolutely absurd situation and I will pick it up and get on to it for you. No wonder we have problems with our children in this country when we try to stop parents being parents, especially good ones, like you obviously are, trying to do what is right for your daughter caught up in a tragic situation.... You have done very well and I think you need to be commended for your actions".*

Marc Alexander, Member of the NZ Parliament: *"I have read your account and find myself incensed that the events you describe (with the complicity of the police and CYFs) could happen in this country!"*

Professor Donald Anderson, Co-chair of the Ethics Committee of the American Counselling Association, wrote: *"I (have)...deep concern"*

Philip Armstrong, Australian Counselling Association: *"I have read the information you have sent and have also shared this with our chairperson of the ACA complaints board. We both feel that the complaints system you have experienced has not been transparent nor equitable"*

Dr Hillary Armstrong, Senior Lecturer, Critical Psychology, University of Western Sydney, wrote: *"I am sorry you and your family have been through such a rough time. As a parent I cannot imagine how I would feel in the circumstances you describe"*.

Alan Bell, NZ Director of ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), said on the Close Up program on TV1 about our experiences: *"(What has happened here with the St John men) is a crime, and the fact that a girl might consent is not relevant at all. A crime was committed, I am concerned and puzzled as to why there wasn't a prosecution. It is black-and-white, this was older men having sex with an underage child. The fact she was 14 makes it an offence for men to have sex with her, regardless of her attitude at that time"*.

Sonia Bonici, Officer at Buckingham Palace, London: *"The Queen....has taken careful note of the views you express....I have been instructed to forward your letter to the Governor-General of New Zealand"*.

Roy Bowden, Senior Tutor, Counselling Programs, Wellington Institute of Technology: *"I am saddened and disturbed by the traumatic events that have ensued for you, your family and especially your daughter"*.

Professor Susan Bradley, Dept of Psychiatry, University of Toronto, wrote: *"This sounds quite bizarre and clearly not helpful to you and your daughter. I am not sure where you go short of your politician or lawyer. The other thing might be to go to the press. Good luck with your effort to get some accountability"*.

Dr William Bukowski, Chair, Dept of Psychology, Concordia University, wrote: *"My advice: Hire a lawyer"*.

Dr Penny Brabin, National Chairperson, Div of Independently Practicing Psychologists, Australian Psychological Society: *"...your daughter seems to have been seduced by this man/men who may have influenced her reaction to the counsellor and possible projection of the blame onto you the parents"*.

Dr Don Brash, former Leader of the Opposition in the NZ Parliament, former Governor of the Reserve Bank of NZ, wrote: *"I'm deeply disturbed by reading the material....you sent me....I would like to take the matter up"*.

Gerry Brawn-Douglas, Psychologist, Convener of the Ethics Committee for the NZ Christian Counsellors Association: *"Clearly you and your family have been and*

continue to go through a most difficult time. I think the best course of action for you at this stage is to consult a lawyer”.

Dr Freda Briggs, Emeritus Professor, Child Development, University of South Australia, wrote to us: *“Sadly I have long had the impression that your CYPFS has the worst reputation of any child protection service in the English speaking world....As a last resort, go to the media...chose whichever is the least sensational and will give you the necessary amount of time”.*

Dr Joe Carver, Clinical Psychologist, Portsmouth, Ohio, a world-renown expert on Stockholm syndrome, wrote to us: *“Stockholm Syndrome (SS) can exist at various levels of severity. Some are primarily relationship SS as we find in abusive or controlling romantic/marital/sexual relationships. Some may be related to a religious component as we find in religious cults. Others may be related to the immaturity or age of the victim as when teenagers have relationships with adults. Still other forms of SS involve a type of "family" of support where a non-family group of supporters encourage the victim to participate in their detachment and victim-like behaviour”.*

“In your situation, you have almost all the high-risk components with the exception of life-threatening (hostage, prisoner, death threats, etc.). The support of the pastor is especially distressing as that family is using their position as supposedly moral, honest people to provide credibility and approval to your daughter's situation. It's like a physician advertising for a questionable product. When a physician supports something it implies a medical acceptance.”

“From a mental health standpoint, your daughter would be overwhelmed by these events and the complexity of the legal and social situation. She is seeking support of adults in her environment and clearly, she has adult supporters who are encouraging her and providing even financial and housing support”.

Mark Cescato, School of Psychology, University of South Australia writes: *“I am very sorry to hear of your tragic situation....my deepest sympathies for you in this plight”.*

Sara Chatwin, Psychologist, spoke on the Close Up program about our experiences on TV1: *“(The parents) must feel as though all power and all control of their child has been taken away, particularly by people with an agenda, people who want to exploit children”.*

Kathy Clist (NZAC member) wrote: *“This must be an absolutely devastating situation for you and your family - I was so sorry to read what has happened.”*

Lyn Coker, NZAC member and ACC-recognised sexual abuse counsellor, wrote: *“I was very disturbed to read of the events you outlined....and I am shocked that any counsellor would express the views your daughter's counsellor did regarding your daughter's sexual abuse...this counsellor has in my opinion, committed a serious breach of trust and crossed professional boundaries...The fact that the counsellor reacted so strongly to you without knowing you appears to be a case of transference...With regard to your daughter – if the counsellor formed an alliance with her - against you and your wife, your daughter is likely to be very confused. And*

once a teenager has made a stand, it is often hard for them to back down or see things from another perspective. She would benefit from proper professional help...I wish you all the best and hope you can find some resolution to this distressing and multi-facetted abuse situation."

Dr. Cocking, Registrar of the International Society of Professional Counsellors (ISPC) in the UK: *"The (counselling) code of ethics (states) that 'the counsellor will not do anything that will harm the client'. In your case the client has been harmed emotionally as have your family. I am sorry to read that you have been treated with what appears to be total disregard by the counsellors involved".*

"I am amazed that the counsellors would decide that it is love/romance. Counsellors are not there to make judgements. Saying that the crimes were insignificant is beyond me. Under ISPC rules, the type of counselling discussed (here) would be unethical".

"This (the counsellors position of not accepting any input from the parents) does not allow for individuality. Seeing it all before would suggest to me that counsellors know it all and everyone is the same. On the contrary everyone is different and each person feels differently about his or her own experience. The attitude you describe (of the counsellor refusing any input from you as parent) however would to me seem unnecessary, especially as you have been so badly emotionally hurt by your daughter's experience".

"For the counsellors to say that your daughter is at the greatest risk in the home environment sounds unethical. The counsellor might be basing this on statistics that suggest that family members, more often than not perpetrate the abuse on children. However, in your case your daughter is the victim of a paedophile ring and the police are involved and they have been found guilty. It sounds that the counsellor might be suggesting something without evidence. I wonder if you can take legal action over this".

"Again, I have to conclude that the views expressed by the counsellors that you describe would to me at least seem unethical".

Regarding the secrecy surrounding the identity of the counselling supervisor, Dr Cocking wrote: *"I can't understand why the name of the counsellor your wife spoke to is being kept from you. I must say this sounds suspicious".*

Dr Cocking concluded: *"What you describe here is tantamount to emotional abuse. This added to the damage caused by the paedophile leaves a great deal of pain for your family to deal with... If what you described happened in the UK then I believe legal action would be taken against the counsellors and the professional body they belonged to... I feel for you all that you have had to undergo such a terrible experience. I thank you for bringing this to my attention as it demonstrates what can happen in the counselling field".*

Ann Coffey, MP in the House of Commons, Westminster: *"I am sorry to hear about your awful experience in New Zealand".*

Professor Rosalind Coward, University of Roehampton, London: *"Your experience....made difficult and distressing reading and my heart goes out to your family. It is truly appalling that the people who saw your daughter initially, chose not to see what had happened as abuse, even though the law is quite clear about this. Some of your experiences have strong echoes of what has been emerging in the UK in Rochdale with social workers turning a blind eye to abuse by gangs because of some deluded notion of the girl's 'promiscuity' when highly charged sexual behaviour is exactly the response that could be expected to such grooming. The consequences for your family and for your son are almost unbearable to contemplate".*

Dr Philip Culbertson, NZ Association of Psychotherapists, wrote: *"...some extremely serious issues...please accept my condolences for what has been an extraordinary amount of suffering for you and your family".*

David Cunliffe, Member of the NZ Parliament: *"So very sorry to hear about your family's terrible ordeal. I can imagine little worse. You have my deep sympathy and so to you to your daughter. It seems incredible that the issue was not dealt with prima facie on the basis that your daughter was 14 when the issue began".*

Dr Chris Davis, Ethics Chairperson, Psychology Dept, Carlton University, Ottawa, wrote: *"I am sorry that you and your family have gone through this horrible experience. You have my sympathy".*

Leigh Davison, National Co-ordinator, Real Fathers for Justice, UK: *"Your email did a pretty good job of shocking someone who is usually un-shockable. I thought I'd heard it all before!...The way you and your family have been treated is shocking, and the so-called experts should be removed from positions and a public inquiry instigated".*

Dr Wendy Drewery, Assistant Dean, Human Development and Counselling, University of Waikato, wrote: *"This is a terrible story....my heart goes out to your daughter, you and all your family. I very much respect that you are bringing this issue to the attention of the profession, and I am very concerned that you have not had a substantive response from the professional association...I must say I recall (no other case) that falls quite into the category of your difficulties".*

Steven Dromgool, NZAC member, wrote: *"I unsurprisingly think that you experienced abusive and coercive counselling and an enormously abusive response by the NZAC".*

Professor Richard Ekins, Faculty of Law, University of Auckland: *"The counsellor's attitude toward serious sexual crime is of course abhorrent".*

Yvonne Elliot, NZAC member and ACC-recognised sexual abuse counsellor: *"I do hope that NZAC is able to get it's act together and be accountable and sort this situation out....How distressing, frustrating and just downright (?) words actually fail me, and I ought not to write the first word that comes to mind! Please do keep me informed of the developments, as it is very important for everyone, you firstly and*

your family, then practising counsellors and the profession in general that this matter is brought to a conclusion and that justice prevails. You have my support."

Sonya Edmonds-Ihimaera, NZAC member and ACC-recognised sexual abuse counsellor, wrote: *"The path your daughter is now on is fairly typical of a young victim/survivor who is confused, stressed, depressed and wants to run away from her life. One of the sad factors about child/adolescent abuse is that not only are they sexualised before they are ready, but they find themselves now in a very adult world, which means they no longer view themselves as young women/men who need to go to school, respect parents, care for those who care for them. Instead, their role and boundaries have become terribly blurred and they often feel they are wanting now to get into an independent life as they adult that they now feel they are. She has been robbed, you have all been robbed. You have a right to be angry and upset."*

Sonya Edmonds-Ihimaera continues: *"Good parents sometimes interfere in their children's/teens life...bad parents do nothing...that's another form of abuse called neglect. I'm so sorry for your demise. The ripple effect of what has happened to your daughter and yourselves is huge and I can imagine that powerless that you all feel because of this. The toxic nature of abuse is so pervasive, it has the potential to take over our lives. Because of the high level of arousal involved in the type of abuse that your daughter has had to suffer, the adrenalin level and tendency to lean toward the need to feed that, can cause drama after drama for her and for her family. It seems that NZAC and CYF have let you down badly. Most of the time, these two organisations do a fairly good job in a field that is really a mine field. They are not immune to getting it wrong. It's a fairly well recognised fact that aside from the initial abusive assault on victims, they are also then forced to step into what can be an equally powerless and sometimes dysfunctional system. Even the court system can be that as well. The upside is, sometimes it works and there are not a lot of alternatives anyway. The downside is, the impact when it goes wrong is just bloody awful."*

Dr Jacqui Farrants, Dept of Psychology, City University, London, wrote: *"I am sorry that you and your family have been experiencing such a hugely difficult time recently. It is important that you feel your complaint is taken seriously and dealt with appropriately by the relevant bodies. I appreciate that this is an extremely distressing time for you"*.

Babette Francis, Endeavour Forum, Australia: *"I was deeply grieved to read your tragic story. Sadly this kind of alienation of children from loving parents also occurs in countries such as Australia and Sweden"*.

Dr Deborah Fraser, Senior Lecturer, Human Development and Counselling, Waikato University wrote: *"I was most disturbed to read your account, and certainly feel for you and your family"*.

Robert Fuller, author of best selling book: *Somebodies and Nobodies – Overcoming the Abuse of Rank*: *"Surely there are many ways in which you have been treated as you pursue justice that are rankist in nature...I hope that by characterizing that bureaucracy's closing ranks--to protect the incompetence of one of its own--as rankism, you can get the attention of people who have authority over it."*

Brian Gerner, Program Director, Dept of Psychology, University of South Australia, wrote: *"This situation is very, very distressing. I would consult a lawyer"*

Gill Goodison (ACC-recognised sexual abuse counsellor and NZAC member) wrote to us: *"The long-reaching effects of predatory sex offenders, the resulting "skewing" of your daughter's view of life, and the entanglement resulting with the counsellor have added to your nightmare...Your daughter is still in the chaotic phase of her trauma...Her values will be distorted, and so will her view of everything. You will be in a difficult place of receiving her transference about her situation: and she will be undergoing shame, a state which has people turn away from their loved ones."*

Grainne Griffin, Head of Professional Conduct, British Association for Counselling and Psychotherapy: *"The series of events and experiences, as described by you, are disturbing indeed and I sincerely hope that justice prevails....If your experience (with the NZAC complaint process) is accurately described, I would have concerns on a number of issues regarding the management of your complaint."*

Baroness Susan Greenfield, Member of the House of Lords, Professor of Oxford university, world expert on the early sexualisation of children: *"My heart goes out to you in horror at the terrible experience you've been having"*.

Keith Gregory, in a published letter in Investigate magazine: *"...the 14-year old undergoing statutory rape. A really tragic tale but, unfortunately, just a symptom of a malaise affecting the whole of our society from the very top down"*.

"Why do we have to put up with people who know nothing about the real situation steamrolling citizens around to their method, merely 'because we can'".

"The complete lack of accountability in the people concerned. There appears to be no-one to bring these people to task and make them responsible for the upset they have caused."

Christine Hatcher, (ACC-recognised sexual abuse counsellor and NZAC member) wrote to us: *"The sexual abuse you describe your daughter survived is indeed extremely serious and you are right in recognising that the behaviour she is displaying could possibly be a direct result of those incidents."*

JoAnn Harjes, Director, Parental Alienation Awareness Organisation, USA: *"It sounds like you have been in a very difficult and tragic situation. There is alienation here though the apparent source is most unusual. The heartbreak is the same and our hearts go out to you"*.

Professor Craig Hart, Brigham Young University, USA: *"Thank you for sharing your tragic experience with me. This is indeed disturbing"*.

Joy Hayward, Dept of Counselling, Dunedin College of Education, wrote: *"I'm sorry to hear about the appalling trauma your family have suffered. It is very difficult to understand N.Z.A.C.'s response to you. I know little about NZAC's complaints procedure and it sounds incomprehensible that your complaints could be dismissed in this way. It sounds crucial that NZAC find a way to address this with you"*.

John Hemming, MP in the House of Commons, Westminster, said during a debate on child sexual exploitation in the House of Commons on 13 Nov 2012: *"There are good practitioners but also bad practitioners, and their bad practice is not picked up by the system. A good example of this is from New Zealand, where social workers encouraged a 14-year old girl to have group sex with a number of St John Ambulance workers and "divorce" her parents, who wished to discourage this. St John Ambulance has still not finally dealt with this issue and some of the workers are scheduled to receive a Queen's Award"*.

Professor Bryan Hiebert, Applied Psychology, University of Calgary, wrote: *"The situation you describe sounds like a travesty....it sounds like you have a strong case for pursuing litigation"*.

Niels Holm, Official Secretary, New Zealand Government House: *"The contents of your email have been brought to the attention of the Governor-General.....The Governor-General and Government House take the matters you raised very seriously"*.

Tony Hore, in a published letter in Investigate magazine: *"For my money CYF have moved from caregiver and protector to amoral juggernaut"*.

Professor Adam Horvath, Dept of Counselling Psychology, Simon Fraser University, wrote: *"Your concerns certainly sound very serious indeed"*.

Dr Andy Horne, University of Georgia, Greece, Editor of the International Journal for the Advancement of Counselling, wrote: *"The situation that occurred with your daughter sounds like a nightmare no family should ever experience...(Regarding the NZAC) it does not seem consistent with a professional organisation. I would encourage you to consult an attorney"*.

Reverend Rose Hudson-Wilkin, Chaplain to the Queen in London, and Chaplain to the House of Commons, Westminster, wrote to us: *"What happened to your family is a real tragedy that should never have happened. Children should be told that their family loves them and is doing their best to support them so they should stay within the boundaries being given by them (this is the type of help Social Services should be giving to families). I am simply appalled by your family's experiences. As parents it is our right and responsibility to protect our children. The State should not have been given permission to gag your family"*.

Marjorie Hunt, (NZCCA member): *"It is possible that your daughter believed she freely made the decision to have a sexual relationship. She currently sees herself as an adult who can make these choices. Unfortunately she does not see the power, age, and experience difference between herself and the man/men and does not see that she has been used/abused and she will probably not see this for some time."*

Jenny, a long-term family friend, in a published letter in Investigate magazine: *"My husband and I are close friends of (the mother, Margaret) and (father, Dave). We have known them for 28 years. Their struggle to save (their daughter) from the effects of a traumatic and psychologically damaging experience, and reconcile with her, are a reflection of their strong sense of family and moral values"*.

"I admire (this mother and father) for their tenacity in fighting a system where perfect strangers are allowed to rip a family apart, slander their characters and cause untold psychological damage to the fragile mind of their teenage daughter".

"The disgust that I feel for the misguided Rosa counsellors and a justice system that gives minors more rights than parents, in this case, truly caring parents, is nothing compared to what I feel about the actions of a liberal Christian church and its 'pastor', whose actions cruelly cut (their daughter) off from her parents – (mother and father) – who are the only people who truly care about her and love her. An institution that aids in the decimation of family relationships is an abomination and insult to the fundamental Christian values of love, forgiveness and reconciliation".

"As a parent and a teacher, I am alarmed that a state school could assist and sanction a minor to 'divorce' herself from her family – the essence of her identity. This in itself reflects how sick and heartless the cornerstones of society have become. That the amoral and immoral amongst us, however disguised (educators and spiritual leaders), are empowered and in fact aided and abetted by the law to destroy families, is frightening!"

"(This mother and father) have now been silenced by the law. They have lost their right to be guardians of their daughter, without just cause or reason, and have been gagged from speaking out against the people who are systematically destroying their family and the psychological well-being of their child. This is madness and a reflection of a 'sick' society".

"The fact that paedophiles (guilty beyond doubt in my view) are let loose and not held accountable for their criminal acts and that perfectly good and caring parents are treated like criminals is beyond belief. How can one feel anything but contempt for such a system".

"(To the father, Dave): Your tenacity and instinct to reclaim and protect your daughter in the face of great loss is admirable.

(To the mother, Margaret): Your heartache and disbelief at the loss of your only daughter, one who you so desperately wanted to bring into the world, is tragic and I empathise and connect with your pain as would most parents. My deepest wish is that one day (your daughter) will understand just how much you care.

(To the daughter): Your parents love you more than you can imagine and are the best friends you could ever wish to have. Your other friends will come and go, but nobody will care more about you than (your mother and father). Their unconditional love will be your healing. Don't wait too long to embrace it".

Dr Patrice Keats, Simon Fraser University, wrote: *"I...want to acknowledge the distress that you have suffered not only from the crime against your daughter, but also the experience that you have had in a counselling setting which you hoped would bring you relief rather than more stress"*

Roger Kerr, Executive Director of the NZ Business Roundtable: *"...your story beggars belief...my deepest sympathy".*

Richard Kerr-Bell, qualified NZ Counsellor: *"I am so appalled by your story and the way it was handled by NZAC, I will not be renewing my membership with NZAC as a direct result of this...I have removed their letters from any signature as well. Your story is horrific and I am speechless".*

Dr Jeffrey Kottler, International counselling expert and author of 45 books on counselling and psychology, wrote: *, you, your daughter, and family have been through a horrible ordeal.....I can certainly appreciate you feeling frustrated and angry by the way things have been handled, both by the counsellor and the N.Z. professional organisation afterwards. Seek legal counsel and begin some sort of legal action to seek justice....you could take this to the media."*

Bishop Robin Leamy, Assistant Bishop of Auckland, wrote: *"The continuing inappropriate actions of the Rosa counsellors, and the CYF, and the NZAC, not to mention the Health and Disabilities Commissioner DO DEMAND ANSWERS....I commend you for your courage and perseverance. It is very difficult and time-consuming, but you are performing a much-needed service for us all".*

Diane Levy, Family Counsellor, motivational speaker and Author of parenting books, wrote: *"I am appalled at the dreadful saga you have and continue to endure. I am particularly appalled to hear how you were treated by NZAC."*

Sandra Libeau, in a published letter in Investigate magazine: *"What appears to (your daughter) to be daring and romantic now won't appear that way in a few years time. And how will she feel when she realises she was just another notch along with many others before and later? These men are predators who deserve jail".*

Jenny Macintyre, NZAC member, ACC-recognised sexual abuse counsellor and Investigative TV journalist: *"You have certainly been through an horrific journey. I am sorry to hear that you have experienced such injustice and blocked doors from NZAC. It will be a defensive reaction on their part. It is a most unusual reaction because as a member I have experienced them as diligent and ethical. However your experience has not been that...I would be interested to make a "60 Minutes" documentary with you."*

Dr Gerald Maclaurin (New Zealand Association of Psychotherapists member) wrote to us: *"Clearly it is illegal for an adult man to have had sex with your daughter, and it is hard to believe that such an act is anything other than abusive, certainly in any cases I have come across, so I cannot understand the reasons for the counsellor apparently minimizing the seriousness of the situation."*

Ted Mason, Consulting Psychologist: *"I am deeply sorry that things have not progressed more for you, and that there is still no real resolution. I agree that the events you describe seem unreal and horrendous."*

Garth McVicar, Sensible Sentencing Trust, NZ: *"I have read (your story, and am) obviously appalled, but not surprised. Justice in NZ seems to be in the hands of an old boys network that has got very much out of balance".*

Ross Meurant, ex-senior NZ policeman and ex-NZ Cabinet Minister: *"This truly is a disturbing tale of a family which has had its share of grief. That the State has contributed to the extent of this grief is axiomatic".*

Professor Gerald Monk, Dept of Counselling and School of Psychology, University of San Diego: *"I would make an appointment with a lawyer".*

Elaine Monks (ACC-recognised sexual abuse counsellor and NZAC member) wrote: *"Certainly what has happened is a crime and has issues of power being used over your daughter by men much older and more experienced than herself...It is not uncommon for the anger towards abusers to be misplaced onto others. Often the abuse is normalised by the survivor and it is only in later years that they realise that it was not OK to be used in that way and to have their youth taken away. It can also effect the same age adolescent relationships that would have been forming had the older men not intervened. The impact of the abuse can be hidden at the time and not surface until around their 30's or later having created damaged lives in the meantime. I'm sure you have read about the results of abuse and it's effects as you seem to be aware of the need to get help for her urgently. The sooner your daughter's abuse is worked with in an effective way the better the outcome will be for her".*

"Those who have been sexually abused and have no-one to turn seem to have greater difficulty in future life than those who have had family support around the abuse as those without support hold the secret and shame inside themselves. It is different for your daughter. She has a loving family and although she is not currently acknowledging her abuse, when it comes time to do so she will know that you took a stand for her and cared about her. A lot of survivors have not had this. She is very fortunate." Elaine Monks wrote this before our daughter left home and deserted her loving family.

Arna Mountain, in a published letter in Investigate magazine: *"When (the mother and father) wanted help for their situation with (their daughter) it backfired on them and they became victims"*

"This whole thing is ludicrous. It seems everyone has rights except those who want to do what is right. Are there such things as parent's rights? Surely it is acceptable to want to train your fourteen-year old daughter in the values you consider virtuous. That is considered good parenting. A teenager's opinions are vulnerable and it is highly important that the parents have input".

"How can a child of (the daughter's) age make an informed decision on whether to divorce her parents? In her fragile state her counsellors, and church leaders would heavily influence her. They would be making the decision, not (the child). How can anyone in their right mind counsel (this child) to reject her family, the most basic cornerstone of relationships?"

"The fact that a school and church leaders appear to be not prepared to listen to both sides of the story and work constructively towards reconciliation means they actually fostered the breakdown in this family. Shame on you who bear Christ's name. Mark 9:42: 'If anyone causes one of these little ones who believe in me to sin, it would be

better for him if a large millstone were hung around his neck, and he were thrown into the sea.”

Dr Stephen Munt, British Psychological Society, wrote: *“I am very sorry that your family has suffered such distress”*.

Dr. Bob Neimeyer, Professor of Psychology, University of Memphis, wrote: *“The anguish your family has faced leaves me concerned. (you need to) redress the wrongs you have suffered. I clearly hear your anger about this sad development for your family, and your obvious commitment to do everything in your power to seek a just resolution of a painful situation”*.

Jeanette Newport, NZAC member, wrote: *“As a Life Member of the NZAC I am horrified that you have been treated in this way”*

Andrew Norfolk, journalist who in 2011 wrote a series of articles in the Times in London, about gang pimps targeting underage girls: *“I.... was flabbergasted by the way your family was treated by various authorities in New Zealand. I can only begin to imagine what it must have felt like and you have my fullest sympathy”*.

Dr Michael Reid, Maxim Institute, wrote: ***“I am appalled at the way many State authorities have dealt with your situation. I have on file many similar stories, although yours is truly horrific”***.

Dr Jan Resnick, practicing Psychologist, Perth: *“I read your account with horror....It is the most horrible story. You, your wife and family must have suffered terribly. I can only say that I really feel for what you have gone through and I do hope that you find some justice in the end”*.

Dr Suzanna Roffey, Senior Lecturer in Educational Psychology, University of Western Sydney: *“Blaming and labelling is not helpful to anyone and should not be part of any professional counselling repertoire”*.

Professor Ulrich Schnyder, President of the International Federation of Psychotherapy in Switzerland, wrote: *“I would strongly suggest to seek legal advice. You have already suffered terribly over the last year, and I do think you should do everything to prevent your family from further injuries”*.

John Saks, Founder and Chairman of the For the Sake of our Children Foundation in NZ, wrote: *“(In your case, you) have state sponsored alienation of a family.....Your daughter is considerably more fortunate than most in her circumstance as evidenced by the tremendous effort you have put into ‘righting the wrong’. Your efforts should be applauded, and I am very thankful that at least one daughter in our nation has parents hugely committed to her....It is my hope that your suffering/agony has not been in vain – and that many other sons and daughters of our nation and other nations may be better off because you ‘stood tall’ for them also”*.

Jeanette Scott, NZ Psychological Society wrote: *“I would also question why CYF recommended this particular counsellor....you should not have experienced this approach and treatment”*.

Janne Sergison (NZAC member) wrote: *"I'm sorry you had such a bad counselling experience with your daughter. Your counsellor in my opinion did not behave very professionally. Your daughter may have been seeing the whole situation as one of love and romance BUT the fact remains she is a 14 year old kid. There were crimes committed. In fact consensual sex under 16 is statutory rape. This is because a child under 16 is regarded as being developmentally not ready to give INFORMED consent as they do not understand all the dynamics. Also the effects are just as bad as any other abuse as you are probably finding out."*

Ann Speirs, NZAP member and ACC-recognised sexual abuse counsellor, wrote: *"If your perception of how the counsellor who met with your daughter behaved is accurate then there are serious concerns about both competency and ethics."*

Warwick Smith, a NZAC (New Zealand Association of Counsellors) member and recognised sexual abuse counsellor, wrote to us: *"Sadly the impact of such trauma have a profound effect upon the victim that takes time and skilled help to overcome. I am astounded that any counsellor would have taken such a position in regard to what is a criminal act and viewing it "as love and romance".*

Judy Smyth, a NZAC member and recognised sexual abuse counsellor, wrote: *"I am sorry you had such a negative experience in counselling as I know you will be beside yourself with worry and have every right to be extremely worried for your daughters future. She is under 16 and very young and the crimes are not insignificant."*

Judge Peter Spiller, Professor in the faculty of Law at Waikato University: *"...as a fellow human being, I grieve with you and your family in your distress"*. Judge Spiller was not the judge in any of our gagging court cases.

Rhyll Stafford, NZAC member and ACC-recognised sexual abuse counsellor, wrote: *"Its clear your daughter is a minor and that a counsellors response that this is love and romance isn't an accurate or professional intervention...Good on you for acting through the legal system as you have. You've done a wonderful job to keep your daughter at home during all this. As a parent I appreciate your distress and know that they do eventually thank you for holding firm out of love for them in tough times."*

Bede Stevens, NZAC member, commented on the short time taken by the counsellor to make her assessment of our daughter: *"It is my opinion from the information ... that the counsellor has stepped beyond boundaries I would place on the therapeutic setting. Half an hour to make a diagnosis on a complex situation seems a little precipitate or hasty."*

Peter Tatchell, Human Rights Activist, UK: *"It sounds like you went through a torrid, horrible and truly bizarre experience....of course a family has the right to protect their children. Goes without saying"*.

Sheila Taylor, Director of the National Working Group for Sexually Exploited Children and Young People, UK: *"The narrative of your experiences is horrific, it*

mirrors so many of the experiences of young people in this country. You have certainly been very vigilant in pursuing the cause for your daughter”.

Steve Taylor, qualified Auckland counsellor: (This story) *“almost beggars my professional and personal belief”.*

“Church leadership from the local church and staff from the local high school collaborated with this manifest abuse of a minor by shielding both (the child) from appropriate care, and the perpetrators from the natural consequences of their criminal actions. This was achieved by staff from both organisations stepping way beyond their pastoral boundaries of competence, and cheerfully fostering a family split”.

“In my professional opinion, such abuse has most certainly occurred in this case, perpetrated by a school and a church, which are two organisations that most reasonable people would think were safe for minors. Not so”.

“The NZAC...when confronted with overwhelming evidence to the contrary, it colluded with a member’s denial of abusive practice by default, and then vilified the parents who made the original complaint! How in the world can the New Zealand public now place their trust in ANY counsellor who displays the letters NZAC after their name?”

David Thomson, NZAC member and ACC-recognised sexual abuse counsellor, wrote: *“I am appalled at the way you have been treated by NZAC....it looks as if their main role is to defend their member no matter what is said. I am interested in your situation and would like to see justice and sanity prevail. At present it does not look like that.”*

Dr Emmanuel Tlou, President of the Psychological Society of South Africa, and practicing Clinical Psychologist: *“My hair stood on end when I read what your daughter went through at such an innocent age. As if that was not enough, my heart skipped a few beats after reading about the counsellor’s conduct. Her conduct is unheard of. Unprofessional is not enough to describe her behaviour”.*

“The counsellor and her supervisor....must be criminally charged as accessories to paedophilia....They must also be exposed in the media”.

Richard Wheeler, NZ Clinical Psychologist, *“....what you describe is appalling”.*

Cardinal Tom Williams, Head of the 500,000 member Catholic Church of NZ (shortly before leaving for Rome to elect the Pope): *“I am profoundly grieved that your daughter, you and (your wife) have undergone such traumatic experience, first of all at the hands of the men awaiting trial, and then at the hands of people whose responsibility it was to care for the family”.*

Ondra Williams (NZAP member) wrote: *“As the law stands, it is clearly illegal for an adult to have sexual relationships with a minor, under 16. Any counsellor must respect the law and take very seriously any breach. It is bunkum to suggest such a sexual relationship would not have an effect on her, though it is more than likely that*

your daughter will not yet be aware of that herself and will deny it strenuously..... You could check this with NZAC, but I believe it is not legal to refuse to include you in this matter, as the parents of a minor."

Hilary Willmer, Chairperson of CROP (the Coalition for the Removal of Pimping), UK: *"Your horrific story....it is extreme even by CROP standards"*

"It is common for the parents of the children to be blamed....an interpretation that completely fails to understand the experience and manipulative power of the perpetrators who know exactly what they are doing".

"I think that your story is among the very worst that I have heard".

Dr George Wills, Dept of Counselling and Psychological Health, La Trobe University, Victoria wrote to us that he believes our daughter is a victim of the Stockholm syndrome: *"There is a syndrome called the Stockholm Syndrome in which victims identify with their persecutors and take their side against legitimate authority – Patty Hearst's response to being taken by the Symbionese Liberation Army in San Francisco in the '70s was a case in point. I suspect that what happens is that the victim is vulnerable and feels helpless and adopts a vicarious feeling of belonging and strength from association with the persecutors...This aspect of your circumstances would be the most galling of all for me to manage, were I you. What I don't understand so well is the apparent failure on the part of the counsellors you mention, to try to understand your position better...In the field of counselling, it is common for such a phenomenon to surface and counsellors are trained to look out for it".*

"There is no doubt in my mind that the men's actions are criminal and I applaud your efforts to bring them to justice....The Stockholm Syndrome...in which victims identify with their perpetrators...would be one explanation I would offer (regarding the position of your daughter)....What I don't understand is the apparent failure on the part of the counsellors to try to understand your position better....The phenomenon is called 'splitting'...it seems that your daughter has been prone to think in terms of 'good' and 'bad' and to pass these judgements onto the counsellors...I would have thought that it was the job of the counsellors to avoid falling into this trap...I would have to agree that their behaviour is unethical on several grounds".

Dr Wills continued: *"Ethical practice requires that we don't exploit our clients in any way".*

"There seems to have been a tendency to rush to blame and to leave you in a position where you have felt not understood, judged and not respected. I think that this is a very regrettable situation for you to be in".

Dr Wills concluded: *"I feel very sorry that you are having to respond to such a terrible set of events".*

Ian Wishart, author, in a passage from his book *Eve's Bite* in the chapter entitled "The War on Parents": *"...a New Zealand girl, statutorily raped by older men at age 14 in a public park, was subsequently removed from the care of her parents by the state and encouraged to begin legal proceedings to 'divorce' her conservative*

parents because they had dared to lay a police complaint against the men responsible for sex with a child. The girl's state school cited 'privacy' issues in refusing to even divulge so much as a school report to her parents. The child was placed on an 'independent youth' taxpayer-funded benefit and given government legal aid for her divorce hearings".

Andy Wotton, Fathers of New Zealand: *"Your story is probably the worst that I have come across".*

The School of Psychology at Griffith University asked us if they could use our ordeal as their case study in their post graduate Ethics and Professional Practice class run by Dr Shirley Morrissey. They regard our ordeal as the most extreme example of unethical counselling.

Anonymous letter published in Investigate magazine: *"No government department can become parents no matter how misguided or misdirected they may be. The undermining of parents by this government is absolutely atrocious – particularly by the heads of departments in all sorts of areas. The whole system seems geared towards this aim – state control of our children. New Zealanders need to wake up! The CYF service has a lot to answer for, but in reality is only reflecting the attitude from government and the social engineering agenda they are following".*

Anonymous letter published in Investigate magazine: *"It is very clear that the rights of children over-ride the rights of parents and the Privacy Act complicates matters even further".*

"(This child) is young and immature and has been caught up in something that is beyond her ability to make wise and sensible decisions. And yes, I believe that (the child's) decision, with the encouragement and assistance of those who should know better, to divorce her parents, is the result of on-going manifestations of the original trauma, compounded by transference and bad counselling".

"We are astounded that the NZAC has not taken action against the Rosa counsellor involved in this case".

"Thank you (father and mother) for having the courage and determination to seek justice and go public with your story. You have our support and admiration. We understand your heartbreak and frustration and hope that in time there will be restoration and reconciliation with your daughter".

Letter signed by 35 mothers, published in Investigate magazine: *"This story brings fear and anger to everyone who has children. Any parent could potentially become inflicted with a tragedy of a similar scale".*

"As mothers would we get the same treatment from public officials that the parents in this story received? Would we be told that the problem is the family, and not a 14 year old engaging in group sex activities with adults? Would we be labelled as oppressive and overbearing if we wanted to save our children from the clutches of people obviously trying to exploit them?"

So please, honourable Prime Minister, give us parents the opportunity to be proud of our children. Don't let your lax, inhumane policies take our children away from us, because they are worth more to us than you might think".

A high-profile NZ lawyer, whom I shall keep anonymous, wrote: *"I am slightly familiar with this case from Investigate, solely because it was so bloody awful.....I don't regard family lawyers as lawyers.....they are flea lawyers.....they are a rare breed of busy body that I don't even try to begin to understand".*

We have had in-depth face-to-face discussions with John Hemming, MP in the House of Commons, Westminster – he submitted this summary to a House of Commons select committee, and spoke on it during a debate in the House of Commons on 13 Nov 2012. We have also had in-depth, face-to-face discussions with the following NZ MPs: Paul Adams, Marc Alexander, Dr Lockwood Smith, and Dr Wayne Mapp.

The parents can be contacted at their pseudonym email address:
frankpjacksonnz@gmail.com

TVZN Close up coverage of story links: http://youtu.be/zHi_0GfPDJ8 and part two: http://youtu.be/UqR9_NI9ng4

People might say, as has happened every now and then, well, that's a one of case. I can assure you all who read this it's not as you can see here:

Minor has baby: no charges laid

Sunday, 25 November 2007 The New Zealand Herald

By Stephen Cook

Police chose not to lay charges against a 21-year-old who fathered a child with a 13-year-old girl - even though he confessed to police he had been having sex with a minor.

The pregnancy was highlighted last week by Children's Commissioner Cindy Kiro, who used the case to illustrate "the wall of silence" protecting people who committed child abuse.

The girl had started having sex from the age of 11 and Kiro claimed that no one in her family would come forward and shed any light on who was responsible.

However, the Herald on Sunday understands the father turned himself in to police but was given only a verbal warning by officers.

Rape Crisis is demanding answers about why police never charged the man with having sex with a minor. It says the police's failure to do so sends extremely worrying mixed messages to teenagers.

A conviction for having sex with someone under the age of 12 carries a maximum prison term of 14 years. Having sex with someone under the age of 16 carries a 10-year maximum prison term.

*Sources involved with the girl's family told the Herald on Sunday the man had been involved in a sexual relationship with the girl since she **was 11**. **When Child Youth and Family (CYF) became aware the girl was pregnant at 12, she was removed from the mother's care and placed with a family member. Four months ago the girl gave birth. She was 13.***

It is understood the 21-year-old is still involved in a relationship with the girl and has supervised visits with his son. During the day the baby is cared for by a family member, allowing the girl to remain at school.

A source told the Herald on Sunday the girl's mother was aware her daughter's relationship was of a sexual nature, but chose to do nothing about it. For five months, the girl had managed to hide the pregnancy, and authorities became involved only after being alerted to the case by the girl's doctor.

It was then that CYF intervened. CYF is understood to still be monitoring the girl, but with the refusal of police to act in the case it is hamstrung over taking any action about her relationship with the baby's father.

*Asked about police protocols in the case of someone having sex with a minor, a spokesperson at Police National Headquarters said charges were laid only if there was sufficient evidence and proceeding with a case was in the **public interest**.*

Rape Crisis spokeswoman Sandz Peipi said the fact the 21-year-old had been involved with the girl when she was only 11 was "disturbing and quite perverse".

Whether the sex was consensual was irrelevant because of the girl's age and the man should have been charged by police.

*The fact he had admitted committing "statutory rape" meant police had more than sufficient evidence to go on, Peipi said. She was also surprised police did not believe it was in the **"public interest"** to lay charges*

Let alone the issues around the **Roastbuster** case on New Zealand:

https://en.wikipedia.org/wiki/Roast_Busters_scandal

Then even after that we have this "**Warnings for Roast Busters II**" Sunday, 08 November 2015 by Lynley Bilby is a reporter for the Herald on Sunday

http://m.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11541781

Conclusions:

This is a three part Conclusion.

First: the official conclusion about the MSD/CYF running, funding and how they go about things as far as what it is they do?

This section is made up of a range of comments from **Minister Tolley**, **Youth Court Judge Carolyn Henwood** and then **Children's Commissioner Dr Russell Wells** followed by a running commentary from Graeme Axford when needed. All these views support and summarize most of what I have claimed throughout this book.

Just to give background context the forthcoming comments from the Minister, Judge and Commissioner come off the back of these **two** latest reports which are:

One, from the Confidential Listening and Assistance Service

<https://dunedin.stadium.files.wordpress.com/2015/08/final-report-of-the-confidential-listening-and-assistance-service-2015.pdf>

Two: Children's Commissioner's State of Care Report

<http://www.occ.org.nz/assets/Publications/OCC-State-of-Care-2015.pdf>

(If those links don't work google the reports names)

This first section is extracts from **TVNZ's Q+A:** Interview with the **Minister of Social Development Anne Tolley** conducted on Sunday, 21 June 2015, 12:47 pm.

The Social Services Industry in the Minister words "it's just **grown a bit like topsy**."

*Anne Tolley says one of the main problems is that 'we don't know what works — we haven't got good evidence, we haven't got good data...there's \$330m of that that comes through the community investment strategy. **That has just built up over the years.**'*

I just find it astounding that the MSD/CYF has really been in effect left to one's own devices. There is so little information available even decades later that gives anyone let alone the MSD any clue about what might or not be working for which they fund. That successive Government's never picked up on this issue to ask what the heck is going on. This however is nothing new far from it as people like Professor Sir Peter Gluckman and Steve Taylor, Director of 24-7 Ltd pointed out many years before now. They both said the MSD/CYF lacked the evidence about what might or not be working for themselves or funded others to undertake on their behalf.

In my earlier submissions to Parliament I pointed out the current system is based upon flow-through rather than outcomes as we can see is acknowledged here:

*ANNE Yep, all of those. All of those. **It's a numbers base**, so we contract people to deal with maybe **2000, 3000 clients**. What we're going to be saying to them instead is... Cos what this is all about is changing people's lives. So we're using taxpayers' money to make a difference in people's lives*

We see a similar comment here:

ANNE *Yep. Yeah. So at the moment, we'll contract them to work with so many children to give them support and to provide a number of programmes. **So it's all focused on programmes and numbers of input.***

Like I said before people like Steve Taylor have pointed these very issues out over many years. If you doubt that then look this up from my 2012 submission titled **“Review of New Zealand’s Child Protection System (CPS)”**. Go to **Appendix 5**, pages 38 to 39 for Petition number **2011/33** of Graeme Axford.

<http://www.parliament.nz/resource/0000229981>

Here is one quote from that:

“Steve Taylor: 70 years of outcome research, unfortunately what government does is it confuses the throughput with the outcome. Throughput is numbers through the door, the outcome is actually what happens to the clients and until we start asking clients how a service is actually performing for them, - and good social service money after bad”

See full interview clip uploaded to YouTube here: <https://youtu.be/FaJDe4t3sPo>

Also other people such as Bruce Holland, Virtual Group Business Consultants said the same kinds of things over many years. None of this is anything new in fact far from it. However only now has the Minister finally woken up to it all many years later?

The Minister went into say:

“ANNE *Well, I’m very focussed on the fact that we put \$331 million out into communities. And we really don’t know whether we’re meeting the needs of that particular community and whether we’re making a difference to the lives of the people that we’re supposed to be changing”.*

So what’s going to change is talked about here:

ANNE *So that's what we're going to focus on, so what difference does that expenditure make in changing people's lives? **So what difference does it make?** If you look at the BPS targets, for instance, how is the work that you're doing-? (BPS means Better Public Services)*

So I have to agree with the Minister and disagree with those who think just throwing more money at the problem will somehow make it better. We tried that and it does not work without first knowing where that money is best served. I do agree there needs to be a cash injection but how and where that’s best used is the problem.

I will leave the Ministers comments there and if you want to read what else was said during that interview follow the link here:

<http://www.scoop.co.nz/stories/PO1506/S00218/qa-anne-tolley-profit-making-companies-social-services.htm>

What Youth Court Judge Carolyn Henwood, Children's Commissioner Dr Russell Wells, had to say?

Interview transcript from TV3’s The Nation Program **Saturday, 29 August 2015, 3:45 pm**, snippets.

Judge Henwood, your report looked at problems with state care a number of years ago — from at least 20 years ago. But these reports seem to be eerily similar, don't they?

There are 14 reports/reviews on CYF and most people agree there is a very common theme among them all. Does that not point to the fact that we already know what the problems are however the issues seem to be putting what we already know into action.

This is something else that was said by the Judge many of us already knew.

“Yes, what he's saying about systems stood out to us as an enormous problem, **because there's policy, and there's what happens on the day.** And there seemed to be — from the 1100 people that came forward — a huge gap there. And I really think that not even the **duty of care is articulated** as to **what we're actually trying to do** — a lack of clarity around what the department's role is and what it looks like and how— what do they need in order to deliver it. That's what we saw”.

I have to agree yet again and CYF more often than not seemed very add hock and inconsistent. Many times I have seen staff running about like chickens with their heads chopped off as the saying goes. Some CYF staff clearly had no idea what they were meant to be doing or how to get it done and by who's standard. That's not good for anyone involved.

Dr Wills:

“Many of these young people told us they simply didn't know what their plan was. They asked for simple things like to be **able to see their siblings**, and that hadn't happened. And when those kinds of things happen, they start to get alienated and they misbehave, not surprisingly. They become stressful for their caregivers, placements break down and that recirculation happens. So when we listen to kids and really put their needs at the centre of our system, then we'll see change”.

I have seen so many children and placements set up to fail because of the very kinds of things talked about as above. Kids dumped in a placement and CYF take off never following anything up like access visits. Kids drifting through placements with no idea of what CYF got planned for them and very little if any felt they really had a real say on their future plans from a child's perspective anyway. I do also want to add that sometime CYF never follow up on accesses out of spite if a child or families complain.

Dr Wills:

“Currently, social workers told us that they graduated without the skills that they need” (*hum and the SWRB did not pick up on that? –how strange*)

Well that's always helpful and a recipe for disaster rather than success. I think that academia, professionalism and bureaucracy have come at the cost of humanism, life skills and experience let alone common sense at its best. The issues is how much of what CYF actually do is real Social Work rather than administration. If you train

people for Social Work and they end up doing anything but that of course they will be unprepared and feel in over their heads.

Dr Wills:

“...And then the supervision; that experienced social worker who can sit down with them and help them to think through a case and make **really intelligent decisions**, that supervision **often wasn't there consistently**. When you put all that together, then that's a **recipe for inconsistent practice**, which is what the kids told us happened”.

I have to fully concur with that as I have seen a few very similar cases handled in stark contrast to each other and in a way that the differences made no sense to anyone involved at all.

Interviewer question:

*“But the thing is, the **Minister has said she doesn't just want to throw money at this problem**, but surely that's what it is about, isn't it? **More money**”.*

“Wills: No, it's... Yes, we need more investment in those children and in those caregivers. That's true. We also need more investment in that training and support for caregivers and for professionals. But then we need to see those systems. Lisa, **the systems to improve quality and measure outcomes and share good practice**, they're not strong enough yet. We do all of those things, not just spending money, but all of those things, then we'll see change”.

I feel really sorry for some caregivers as at times they just have to improvise; or do something extemporaneously and if that goes wrong it's all on them. I have seen some caregivers having to do the Social Workers job for them and in many cases better than the Social Worker would have done it anyway. They often become the meat in the sandwich. CYF get at them then for interfering (*doing CYF job for or in spite of them*) the parents on their backs and the children act out because of this all. Gosh what a nightmare some caregivers have had and that does rub off on the children. This is not even the half of it peoples.

I could not agree more with the Judge this:

“I think the money is incredibly important. You need the right amount of money to do the job, and **I don't know whether money is being used to manage the department, or whether money is being used to put into the children**. And that's a hard question. **It's not transparent**. We do not know how that money's being spent”.

There is a quote at the end of this chapter from the UK that also highlights this issue and a story from Native Affairs titled the “Two million dollar kid” which supports the Judge's statement.

I have a not so funny but rather bad feeling a lot of the money meant for children is being gobbled up in the mismanagement that's become the behemoth of the MSD. I have seen some extremely wasteful spending and very poor time management and planning.

Time is money and having to fix or cover up so many mistakes cost so much more than getting it right the first time around to start with.

I want to digress and talk about the money issues for a minute to show you something interesting.

You do the maths on these numbers:

CYF now had the equivalent of **nearly 30 full time executives** earning more than \$120,000 - up from **10 people** on that pay the previous two years.

Overall there was an **8 percent increase in staff** and a \$17 million increase in annual salary costs to **\$136 million**.

Rise in CYF staff on more than \$120,000 irks National
Save Sunday, 07 May **2006**

http://m.nzherald.co.nz/employment/news/article.cfm?c_id=11&objectid=10380745

Then look at this:

"In 2002, just **six people earned more than \$160,000**, now **159 earn more than \$160,000** and the number earning more than **\$200,000** have increased from zero in **2002 to 21 today**."

"Though the Ministry claims it doesn't pay bonuses, it spent more than **\$5.5 million in 'performance payments' in 2006/07**."

MSD top-band salaries increase more than 546%

Tuesday, 15 January **2008**, 1:13 pm

Press Release: New Zealand National Party

<http://www.scoop.co.nz/stories/PA0801/S00097.htm>

Now take a look at the latest information and see the upward trend:

"It says 53 ministry employees are making more than \$200,000 a year."

".. Ms Sepuloni said spending on leadership workshops had also climbed to almost **\$800,000 this year**, compared with just over **\$137,000 last year**".

Minister responds to claim of MSD salary hikes

Updated at 2:47 pm on 21 June **2015**

<http://www.radionz.co.nz/news/political/276790/minister-responds-to-claim-of-msd-salary-hikes>

Wow is all I can say about them figures...Are these people value for money? I say that because given the **14 reviews** done on CYF that are in the words of the Judge **"eerily similar"**. Why have the highly well paid MSD/CYF employees not picked up on the themes and run with them over the years long before now? What are they being paid for if not to improve the MSD/CYF performance via their skills and input?

As the Judge put it during the Nation interview:

"That's where, I'm hoping, Paula Rebstock will make it more **transparent**. Because you've got a **big department that's been going for decades and costs a lot, but, you know, where are they spending it**".

Hallelujah, now we are starting to get to the nub of the issues that most of us have known about for many years.

Finally onto my pet topic as the Judge so aptly puts it:

“I mean, accountability is something that stood out for us. No one’s accountable. You can’t sue. If you try and sue— millions of dollars is being spent on stopping the cases in the court. So, yes, separate care system that can then report to the government. And monitoring is the biggest thing of all”.

To that I say without real-time monitoring things slip by and in my view compound issues that would otherwise be quickly remedied. . However I think there needs to be more than just the ability to just monitor. There also needs to be the powers to investigate issues. I think that’s a point most people have missed in this debate.

Read the full interview here:

Transcript provided by Able. www.able.co.nz

<http://www.scoop.co.nz/stories/PO1508/S00334/interview-with-judge-carolyn-henwood-dr-russell-wills.htm>

The three main problems I seen in the State of Care Report among the many as far as the children go are these:

One, CYF is not Child-centered.

Two, There is also very little information if any about whether or not as a result of CYF intervention if the children in their care are any better off or worse off as a result.

Three, CYF uplift then dump children wherever then can then do a runner leaving the caregiver and children in the lurch. Then they repeat this cycle over and over again.

If CYF were more Child-centered they would not dump and run and for sure the children would be better off as a result of their intervention. One flows into the other as I see it. Don’t even get me started on CYF cultural appropriateness issues as that really would open Pandora’s Box...

An expert Panel was set up to look at modernizing CYF and to also consider the **Howard Broad** then the **Children’s Commissioner’s** along with **Judge Henwood reports**. This panel does not have any Social Workers among them and they tried to exclude Maori at first would you believe? Follow the links below to see what others make of the Review Panel makeup:

Social workers fuming over CYF overhaul snub

By STACEY KIRK Last updated 19:17, May 18 2015

<http://www.stuff.co.nz/national/68635010/Social-workers-fuming-over-CYF-overhaul-snub>

Dismay at lack of Maori on CYF review panel

Updated at 6:44 am on 23 May 2015

<http://www.radionz.co.nz/news/te-manu-korihi/274197/dismay-at-lack-of-maori-on-cyf-review-panel>

The Minister did renege on this after and add some Maori people to the panel.

NOT INDEPENDENT AND NOT EXPERT- SO WHAT IS THE AGENDA?

Posted on April 5, 2015 by Liz Beddoe

<http://www.reimaginingsocialwork.nz/2015/04/not-independent-and-not-expert-so-what-is-the-agenda/>

The review of Child, Youth and Family

10 April 2015 by Associate Professor Liz Beddoe

<http://www.education.auckland.ac.nz/en/about/news/news-2015/04/the-review-of-child-youth-and-family.html>

The panel is another example of political interference where in the Minister appoints people more likely to get the outcome they want rather than from a truly independent perspective. If we end up going down the privatization track then that poses bigger problems than it resolves in my view. But that discussion is for another day.

Just as a point one has to ask what role the Family Court played in these unfavorable outcomes. I mean most children are placed and remain in CYF care or other arrangements as a direct result of the Family Courts decision.

What about the **Care and Protection Resource Panels (CPRP)** why did they not likewise pick up on these issues.

Given we have had the **Chief Executive's Advisory Panel (CEAP)** since 2009 and still going in 2015 how come they never seemed to pick up on those issues that Dr Wills found. It costs a lot of money to run the CPRA and CEAP and for what?

Why was it only Dr Wills that brought these major issues and failings to everyone's attention when his predecessors to the **Office of the Children's Commissioner (OCC)** role like Dr Cindy Kiro and Dr John Angus missed them all together it seems. Likewise the **OCC** costs a lot of money to run over the years and it seems until Dr Will's they missed more than they found that was wrong with CYF and the CPS overall.

When or if Dr Will's leaves the OCC will his replacement be as good and follow on his legacy or will they go back to their old ways of being ineffectual, appeasing the Minister and supporting the status quo rather than speaking up about issues when they should.

So the so called checks and balances people claim are in place to prevent the unfavourable outcomes don't at all seem to have worked if you look at what Dr Wills, Judge Carolyn Henwood and even the MSD/CYF own Minister suggested. These findings make an absolute mockery of the claims there are safeguards and all was well.

While I was finishing this Chapter off it was in the media that:

"The chair of the panel reviewing Child Youth and Family is worth the **\$2000 a day** she is being paid, Social Development Minister Anne Tolley says"

CYF reviewer 'worth' **\$2000 a day**

Updated at 5:16 pm on 13 October 2015

[http://www.radionz.co.nz/news/political/286820/cyf-reviewer-'worth'-\\$2000-a-day](http://www.radionz.co.nz/news/political/286820/cyf-reviewer-'worth'-$2000-a-day)

But wait that not all:

Anne Tolley wanted to pay CYF panel chair \$3000 a day

Updated at 8:39 am.

[http://www.radionz.co.nz/news/political/289946/tolley-wanted-to-pay-chair-\\$3000-a-day](http://www.radionz.co.nz/news/political/289946/tolley-wanted-to-pay-chair-$3000-a-day)

My point is given the **56** staff at the MSD on **\$200,000** a year why is she doing their work for them it seems. Is that chair's payment coming out of the MSD budget or the taxpayers fitting the bill for something that seems like doubling up? So are we paying twice to get what should already have been done by the MSD/CYF itself. The fact their own Minister Tolley rejected the MSD/CYF internal modernization plan and then set up an external Panel to do that job for her really speaks volumes.

While on the topic of money the **Public Service Association** have undertaken this:

The case is filed under the **Equal Pay Act 1972** and alleges social workers at **Child, Youth and Family** do not receive equal pay on the basis of gender and seeks a determination of what they should be paid. **(16th November 2015)**

<https://www.psa.org.nz/media/releases/social-workers-launch-historic-equal-pay-claim/>

I was with a lawyer when this come over the media and her comment was let their pay be based on performance as well.

I also want to raise one other issue on the topic of money being spent on kids. I have heard a lot of figures about money going into this and that but yet to see it trickle down to the families and kids in need. I have one example here:

Native Affairs – Two million dollar kid – Part

By Ruwani Perera 8:30pm, Monday 19 October 2015

Daryl Brougham used to be called the **2 million dollar kid**, because that's what his 18 years in State Care cost the New Zealand taxpayer. While in CYF care, Daryl suffered significant amounts of abuse and neglect.

This year the Ministry of Social Development owned up to some of the litany of mistakes made that contributed to his lost childhood.

Up until a few weeks ago the 35-year-old had a job with Child Youth and Family. Daryl's now resigned, and tonight tells his story and speaks out about a broken system for the 5000 children he says have no voice. Here's Ruwani Perera with this 2-part exclusive report.

Part one <http://www.maoritelevision.com/news/regional/native-affairs--two-million-dollar-kid--part-1>

Part two <http://www.maoritelevision.com/news/regional/native-affairs--two-million-dollar-kid--part-2>

So how does one spend 2 million on one person and still get such a bad outcome for them? I am told by those who can add that's an average of around \$2136.75 a week over 18 years.

52 weeks per year multiplied by 18 years is 936.

*Divide that into \$20,000,000.00 equals **\$2136.75 per week.***

I bet a lot of that money went on administration and experts, the Family Court processes etc... and very little of it got spent in a way that actually helped Daryl's situation that was tangible.

Don't get me wrong I am not at all saying that money should not have been spent on Daryl but what I am asking is why he was personally no better off for it having been given in his name. I have seen the ways some foster parents rip the system off. Example they use the clothing allowance for their own children rather than on the fostered ones. Get double board payments etc...

However Daryl Brougham know more about that then I do so I suggest you buy his book "**Through the Eyes of a Foster Child**" from here <http://www.darylrougham.com/> if you want to know more. Please consider doing this as it's a perspective you will get no other way.

I have heard CYF staff talk about the costs families pose to the state and that really pisses me off. This is because from what I have seen that money is gobbled up in the system for little if any return as far as a better outcomes for those it's claimed to help.

The amount of money I have seen so called spent on families is eye watering and the net result of it for them ends in tears all pun intended.
CYF time management and time spent on fixing avoidable mistakes is breathtaking and only ever added to their workload in my view. My case alone has taken up a huge amount of resources over the past 15 years which was always avoidable. When you read about how CYF come after me that took them away from their core function.
If I was to list all the avoidable mistakes I have seen CYF make this would be like a never ending story. I use avoidable because they went ahead and started a course of action or made a decision they were forewarned would not end well for them.

The fact is we need to change the way we do things as there are ways to save money and get better results for that as well. People should listen to the TED video by Hilary Cottam on social services. She said among many other things:

Time into video 02:58

"...Well, the first thing I learned is that cost is a really slippery concept. Because when the government says that a family like Ella's costs a quarter of a million pounds a year to manage, **what it really means is that this system costs a quarter of a million pounds a year. Because not one penny of this money actually touches Ella's family in a way that makes a difference.** Instead, the system is just like this costly gyroscope that spins around the families, keeping them stuck at its heart, exactly where they are..."

http://www.ted.com/talks/hilary_cottam_social_services_are_broken_how_we_can_fix_them/transcript?language=en

Have a listen to the rest of what she says about a better way forward and of doing things. I am not saying she has all the answers but what I am saying is let's be open rather than closed minded if what we have now just does not cut it.
I personally think given we are in New Zealand have on our doorstep some better solutions we would be best trying rather than looking elsewhere all the time.

Ken Mason, South Auckland District Court judge (retired).

"There have been at least 60 reports, reviews or reforms on child abuse since 1992. Few seem to have much difference"

24 November 2015

<http://www.stuff.co.nz/national/faces-of-innocents>

Second: conclusion, more general about the Social Worker profession, Child Protection System.

When I switched from advocacy to undertaking more formal Social Work qualifications in the early to mid-2000s, I thought that was a better fit for me. After all I heard, things like how we should always **uphold high standards of personal conduct and act with integrity**. We must provide **services at a competent level of a professional practice**. We must **respect and uphold the civil, legal and human rights** of clients. Same with **empowerment, Social Justice** and **cultural competency** just to name a few of the many things I believed Social Workers should always strive to do.

Some days I have to ask what went wrong and how come a lot of what was talked about in the Social Worker educational field, seemed sparse in practice when it comes to dealing with some staff at CYF. My own personal story, as talked about in Chapter four and others referred to in Chapter eight, seem contrary to what I was taught and believed should happen.

If people read the **Aotearoa New Zealand Association of Social Workers (ANZASW) Code of Ethics**, it's actually very good and I encourage clients to Google and find it. Same with the **Social Workers Registration Board (SWRB), Code of conduct**, please look it up.

If you're dealing with a Government department we have the **State Services Standards of Integrity**, which is also well worth a read.

But what's the point of these Codes and Standards if they are not applied or become unenforceable. Let alone the other issues around it, are very difficult, if not impossible, to get a complaint investigated against breaches of those, as many who have tried found out. They seem to be more useful in protecting the Social Workers over and above the public good it claimed they were really there for.

That's because in the case of CYF Social Workers and the way the current system is set up, they are afforded a veil of secrecy and level of protectionism that's almost unparalleled.

Owing to suppression and privacy requirements surrounding processes like at **Family Group Conferences (FGC)**, and the **Family Courts**, which are meant to be there to protect the vulnerable rather than make those who use them more vulnerable than ever, and the Social Worker untouchable.

If you doubt that, read Chapter two about **affidavits, Section 444 of the CYPFA 1989 and Court appointed persons...**etc.

I can attest to the fact that some Social Workers were being unethical and disempowering and very racist as well, manufacturing or manipulating evidence and using the system to their advantage by tilting the scales in their favor. Examples, Social Workers getting the lawyer for child or report writers and assessments overly more slanted towards the Social Workers views than anyone else's.

In such situations the Ombudsman, Human Rights, Families or State Services Commissions let alone the Office of the Children's Commissioner, are of little if any real help with false or misleading information filed in the Family Courts. The same

can be said of the ANZASW and SWRB if issues that arose have anything to do with cases put **before, during** or **after** the **Family Court processes**.

Now the reason why I say **Before** is because sometimes things can end up in limbo. A case can be filed to be put **before** the judge, but not have a hearing date, suffer delays so the information has not been put before the Judge to be tested per se but still considered before the Court for the judge to eventually consider that information.

During means while the information might have been put before the judge and accepted this time, a defendant hearing has not actually been set. These delays mean everything is in a stalemate in the meantime and can add months, if not years of delays, before all sides can be considered and have their days in court.

After means once the case has been heard and it's all done and dusted one way or the other you hit this final hurdle. Even if the family wins it's often suggested to address any issues of wrongdoing by the Social Workers, even when proven during the Court case would be like **re-litigation** of the case or facts, which should not be done as it's seen like second-guessing a Judge.

The problem is that just about all CYF cases will, at some stage, end up **before, during** therefore **after** having been through the Family Court processes, at one stage or another. That makes most complaints about Social Workers out-of-bounds of anyone being able to investigate any Social Workers wrongdoings involved in them.

That's because no one should be allowed to second guess the Courts as I think is only right.

However, this is more about making sure they get the best, most up to date unbiased information possible, for judges to base their decision upon.

If people can so easily pervert the information to manipulate the outcome in their favour, they should not so easily be able to get away with that, as most certainly and currently happens now in some cases. People should not get away with cheating to win, it's just not right, and more so with families' lives at stake.

Some might think that sounds melodramatic, and if that be the case, then how about you come with me to visit some people who will tell you their first-hand experiences. I wish Social Workers could see the consequences of some of their decisions, more so when forewarned of the problems they just created by not listening.

Even the Privacy Act and Commission help the MSD/CYF to bury more stuff than they ever have to reveal. You can see in Chapter one and two, why I believe and prove this to be so. The so-called checks and balances don't really exist and anyone who claims they are, have to be questioned as to how much experience they have had personally at trying to use those themselves. To me such claims are a bad cliché.

The lack of transparency, therefore accountability and absence of real-time checks and balances, foster what I consider can only be what is best described as unbridled power. To my way of understanding, that goes very much against our Social Worker Ethos. When you read all **14 reports** done on CYF, and more so the most recent (*Broad 2013, Wills and Henwood both 2015*), it becomes clearer there was only ever way more wrong with our current system than ever was right with it over the past 26 years. Yet most of the Social Workers played along with this system knowing that and in doing so failed to uphold the **civil, legal** and **human rights** of clients, being both children and families in doing so. They also failed to empower families and take

many of the issues the system created up as a Social Justice issue. This also makes me question what's meant by **professional practice** in the face of all 14 scathing reports on CYF. The Social Work profession buried its head in the sand and seems more reactive rather than proactive in their own sector.

This profession needs a watchdog not a lapdog. I say that because of my own efforts and trying to bring about change for the better and research you can read throughout this book. People like Steve Taylor, director, 24/7 and Familyfirst Bob McCoskrie took a far clearer and stronger stand on CYF issues wherein it appeared to me the Social Workers themselves and their organisations did not seem to be that outspoken or supportive of change to date. I mean sure the ANZASW put in submissions when called for but they could have raised many of the current issues off their own back if they wanted too long before now.

While going on about CYF, in light of those reports, is like flogging a dead horse. Why has the Social Work profession not been more outspoken? CYF staff should have gone on rolling strikes or taken some form of action to protest against their system that clearly delivered such bad results for children and families for which they participated in. Let us not forget CYF is an organisation not an organism and the individual Social Workers that did the deeds on behalf of them have to bear some responsibilities for its/their failings.

I hope the good CYF Social Workers don't become the whipping boy in all this or my comments seen as tarring them all with the same brush.

Some Social Workers I have seen go above and beyond the call of duty to the point it had adverse effects and took its toll on them and their families. Some walked around like something out of a zombie land movie, moving from crisis to crisis while others run around like chickens with their heads chopped off. What happened to self-care so they are safe to practice? CYF became a train wreck (anyone could see a mile away it was bound to happen), because they set many of their staff up to fail for the very reasons outlined in this book. If you read this entire book you should know what I mean by that.

The facts is that Dr Wills, Judge Henwood, and now even Minister Tolley acknowledge we are unsure if Children were any safer in state care and in fact some put at more risk than they were removed from. Reports from the Confidential Listening & Assistance Service (CLAS), historic claims unit and what I hear go before the Chief Executive's Advisory Panel, all the 14 reports undertaken on CYF to date very clearly show that. No one can refute that the amount of evidence all points to the same inherent problems over the past two decades. These issues with the CPS just did not sneak up on us and caught everyone unawares. They have been there all alone.

If this expert Panel reviewing CYF changes too much at once, then in the upheaval, there could be a bigger disaster waiting to happen. However, the other danger is what they might come up with could be equal to rearranging the deckchairs on the Titanic. That's the catch 22 for them and not a job I would envy.

I want to see CYF as part of the solution, not and ongoing part of the problem.

There is a lack of transparency and redress, which leads to no real accountability, which is bad for us all. The purported checks and balances aren't really there and never actually were per se.

The total lack of consistency is unbelievable, and how when some get caught up in the system come hell or high water, it's really hard to get out of it when it was proven this should never have happened. The notification statistics CYF quote, tell nothing apart from the fact that there is a problem, but not where the problem really is. Some of the increases in notifications is because of the over reporting and changes in the way the Police do things as they tell me themselves. There can be many notifications about the same child, family or incidents, and even many more owing to CYF's inaction or placing children in even more danger than they were before. In my view, Professor Dorothy Scott, Dr Wills and Judge Henwood, even Minister Tolley and Professor Gluckman all hinted at these kinds of issues. A lot of money is being tossed at the problems without knowing what might or might not be working.

One thing we do know for certain in all of this is, for all we have tried, children have been severely let down. To date, even with the very best of intentions, we must do better for them and start getting things right.

I just wanted to make a point here. When the then barrister Evgeny Orlov came with me to Parliament for the oral hearing in 2011, he was not at all treated well and a lot of that interaction was taken out of the official transcripts. Strangely enough what Evgeny said about scrapping CYF and starting again seems to be what Minister Tolley is talking about now in 2015. Don't believe everything you read about Evgeny from the media spin doctors.

We did a pre-release of this book in August 2015 as test run which is why it does not have an ISBN number wherein this official one does which come out in November 2015. Some CYF staff said they expected my book to be negative after all people don't seek out an advocate to help sing their praises. I can see where they are coming from with that point, however the results do speak for themselves and the evidence is overwhelming in official reports. I wish the news and findings were better for all but they are what they are.

The real issues as I see them come down to this:

We have a bureaucratically driven rather than humanistic system that works off a medical model followed by a legal framework that's more about risk management than social policy implementation for the wellbeing of us all.

My concern going forward from 2015 is that the Minister is throwing the baby out with the bathwater. There is talk of a complete overhaul of CYF taking many years. I would have thought it would have been wise to put in place the recommendations from all 14 reports first and see how that goes. As well as getting evidence based research to see what does or not work in the area of CPS. I am not sure that to gut CYF and start again is the right approach but I guess time will tell.

Third, Conciliation more specifically related to my own personal dealings with the MSD/CYF over the years.

I don't know how to even start explaining my more personal dealings with the MSD/CYF, other than to say this journey was made up of contradictions and ironies. I know some of their staff will read this, so here's my chance to talk directly with them via it.

Let's look at the contradictions and ironies that the MSD is and has been for me. The MSD who run CYF are the biggest single employer of Social Workers and they fund most things Social Work. The MSD also runs Work and Income (Winz) and for the peoples overseas benefit (*pun intended*) they run the welfare/benefit systems and help people find employment.

The MSD also umbrella the **Office of Disability Issues (ODI)**, and took over the **Mainstream** subsidized work placement program, for people with disabilities that are not quite work ready.

Given all the MSD oversee the ODI, run Mainstream and help Winz clients seek employment they more than anyone else should want to help rather than hinder me get a job in the Social Worker field as an advocate. Yet they did the opposite by putting NGO's off me.

What I found over time is the MSD is disability unfriendly; they more than anyone have stopped me from entering the Social Services advocacy field by their staff antics.

I never wanted to be a front line Care and protection Social Worker at all as advocacy is my thing. Believe me when I say there is a very big differences between generic and specialist Social Work, and true advocacy mixed in with general Social Work per se.. But that's far too long a conversation to have here and now. The term Social Worker has a very wide breadth and width to it. Let's not go there...

Worse than that, the MSD have played on my disability by saying they can't understand me, and deliberately misinterpreting, therefore misrepresenting my views even before Parliament, because of my poor literacy skills. You might ask how I can make that kind of claim. Here is an over the top example '**Let's eat Grandma!**' or, '**Let's eat, Grandma!**' Punctuation saves lives LOL. I can come across badly via the written form and I will give you another example of that.

I wrote to an agency and said while being unhappy about this I will submit my reports anally. One manager got most upset by this and accused me of telling them to stick it where the sun doesn't shine. (*PS this is the polite and toned-down version of their reaction*) They accused me of being offensive and inappropriate and very rude towards their staff. If I was deliberately being a smartass, then fair enough, but it was a genuine mistake that got me in the crap.

The auto correct put that word in and the right one should have been **annually**. I can't tell the difference with some words until it was pointed out. So you can see from those two examples how easy it is for me to make mistakes and others to make more out of them then there needs to be. I am sure there will be a few in this book like that as well.

The MSD also claimed I threatened their staff which has been disproven and even went as far as trespassing me on a false premise, as again shown in chapter five.

Then the MSD/CYF tried to destroy my ability to even work voluntarily in order to get me out their way and teach me a lesson. They breached their organizational Standards of Integrity in doing so. Let alone if they were Social Workers I was dealing with they also breached their Codes of Conduct and Ethics as well. A tutor asked if we thought Social Workers were agents of change or control. I have to say not the former but the latter now.

I also, because of my disability, suffer enough disadvantages without the MSD/CYF staff going out their way to make things even harder for me than they already were. As one of their own managers put it I should be a poster boy and not a target, because of the adversity I have faced in life already and overcome to this point.

The fact over the past 15 years, CYF failed to uphold not even one of my complaints even to this day that I can recall says more about them than I.

CYF apologies only come after their own **Chief Executive's Advisory Panel** told them to not once but twice now (2009 and 2012) or when they were told to apologize by the Greymouth Police.

I have no doubt if I got before the Panel again, a third apology would have resulted, but to avoid that embarrassment the MSD CEO refused to let me go before his Panel a third time. Point being my claims about how bad things were at CYF and calls for accountability and my entire campaign have proven to be justified, and the job not done yet.

CYF set up the two job interviews with me to fail as I suspected, so they could rule the mainstream option out totally as I was forewarned would happen. CYF tried to then use this to put their clients off seeking my help about them. CYF tried to suggest I was even below their standards and because they turned me down for two jobs my campaign was built on sour grapes to discredit and put people off me. Let alone the many other tactics and behaviors they employed upon me as outlined in Chapters Four and Five.

Then CYF went as far as to question the quality and level of my Social Work tutors who passed me. Given how many times I caught their staff out is that not the kettle calling the pot black. One example of what I mean from the interview feedback was "I am not analytical enough" I mean really! Of all the ridiculous and absurd things to say that has to be the most supercilious impressions they ever come up with. Most people who know me and read that it just cracks them up. They said I lacked the skills for the job well so to do many CYF staff according to Dr Will's on page 287 of this book LOL. Next excuse people....

So if I can't measure up to CYF standards then how come I seem to be more right about them than not?

CYF only answer to this as it's has always been to shoot the messenger because historically I have been proven right at every point over them.

My goal from the beginning until now was and still is to make a difference within the Social Worker field, and given the Petitions, submissions and the MSD/CYF own

reaction towards me that's not gone unnoticed. The MSD just could not play nice and never learnt as the saying goes that you catch more flies with honey than vinegar.

I have had CYF Social workers call me ignoramus and buffoon in front of clients among many other things. Yet that's ok for them to do that as long as it's done as staff but in their personal capacity or as a private citizen.

If the MSD staff use their own equipment rather than work's to have a go at me that's ok as well. Provided the staff are seen to have acted on their own behalf rather than via any instruction from the employer it's nothing to do with their organization officially at all per se I was told. That helps create plausible deniability.

Even if things happen or take place on or around the MSD own premises while during working hours I am talking about Facebook posts, firing staple guns at me or trying to throw hot water over protestors.

Yet they claimed I am the one they should be afraid of which in light of this all seems a little topsy-turvy and crazy to me.

I have never put CYF staff personal information online like they have mine or encouraged people to target them in the way they done me. I never tried to make their lives a living hell and have stayed the course and remain why more controlled and professional then them.

The CYF Social Workers and I should have more in common than not rather than be at loggerheads. I did not become a Social Worker to go after CYF but rather help CYF and their clients if I was able. None of CYF claims made against me about being abusive, threatening are at all accurate as proven by their withdrawal of them. But someone within the MSD/CYF had to come up with that for it to have been put out there and they are more of the problem then I in getting this resolved.

I have been promising this book for many years now and some CYF staff said they await it with baited breath for me to shoot myself in the foot and give them no end of ammunition to use against me in doing so. I have no doubt this will happen and again the trolls and trial by Social Media will start up again. That some will want to shoot the messenger and make the book more about me then the MSD/CYF.

This book forms part of my ongoing campaign and another form of protest wherein I get to draw attention about the way I have been treated by CYF and call them out on it. I was warned if I published a book about this all would suffer more consequences far beyond anything I have faced ever before as described under tactics and behaviors.

I am going to continue my campaign toward accountability and real transparency for CYF future and present clients. I will keep on going on for as long as it takes to get a user friendly all-encompassing real-time complaints system and the end user say's and sees it works well for them.

Our military forces are an arm of government, just like the Department of Social Welfare, although probably less able to inflict widespread harm.

Source: Defense Quarterly, 1993, p. 32. -David Lange

Special Acknowledgments and Honourable Mentions

I need to acknowledge some of the many people who helped me upon the way. Sadly I can't name you all for expedience reasons as it would be a very long list.

First and foremost I'd like to thank **David Tranter** who is a scholar and gentleman and more than anyone he set me on the right path. David is a phenomenal debater - second to none - and his guidance and inspiration has been invaluable to date.

David also introduced me to many likeminded people such as **Phillida Bunkle** who was an Alliance Party Member of Parliament. I leant a lot from her also.

On the topic of former MPs, I also need to thank **Sue Bradford** who I knew long before she ever became a MP.

Also a special thanks to our local electoral MP **Damien O'Connor** and all of his wonderful staff for their help over the years.

Then we have **Judy Turner**, who was the United Future New Zealand MP. She more than anyone and like no one before or after her to dated asked the difficult questions of CYF. If Judy had of remained in Parliament I have no doubt CYF would have been called to account like never before.

I also need to profoundly thank **Kit Carson** because without his encouragement, while the editor of the Greymouth Evening Star Newspaper, I never would have taken up or continued writing. Kit often edited my letters so they could be published. Kit also had a good social conscience and was a robust debater. He sadly passed away in 2015.

Then we have **Hugh Smith**, better known as Justin Thyme, who sadly passed away in 2014. Hugh wrote the first 'You-Be-The-Judge' book which outlined a harrowing battle that was eventually won in the Court of Appeal. He was always a great and willing help at times of need.

Also **John Tonson** the founder of the original **P.A.N.I.C** which meant "**P**arents **A**gainst **N**egative **I**ntervention by **C**YFS" was a great help as well. He passed away many years ago. He blazed a trail with Petitions to the NZ Parliament from 2004 to 2006 for which I follow that legacy on now.

I would not have moved from part-time to fulltime social work training without the help of **Workbridge Greymouth**, **Invercargill** and **Christchurch** who all offered no end of support that enabled me to continue studying during some rather academically trying times, which somehow I overcame successfully. Thanks for your support.

I also have to mention **Work and Income** (WINZ), Greymouth who set me on the social work path along with Workbridge. Yes it is ironic that WINZ come under the **Ministry of Social Development** that also runs **Child, Youth and Family**, as well as

now taking over the Mainstream employment program from Workbridge. If you read this book from beginning to end you will understand the irony in this and what it means for my future social work prospects LOL.

Had it not been for the assistance of the **Christchurch Polytechnic Institute of Technology** (CPIT) literacy course (2002) I would never have been able to take up fulltime studies in the social work field. They also had me tested and diagnosed as having a severe form of dyslexia and were instrumental in putting in place lifelong strategies that helped me to learn more effectively.

Even after that when the Social Services at CPIT turned me down for fulltime Social Services studies I was later accepted to the **Southern Institute of Technology** (SIT) in 2003 which was my saving grace.

Then there is the amazing team at **Maata Waka Enterprises** (2005) in Christchurch who were really the icing on the cake at the end of it all. I am forever beholden to you all as well.

I also need to thank Lawyer **Evgeny Orlov** who came with me to the first Social Services Select Committee hearing in 2011. He has been a great support.

I also need to talk **Steve Taylor**, director, 24/7 and Familyfirst **Bob McCoskrie** for being very outspoken about CYF and Family Court issues when no one else was.

I also have to acknowledge the many families who sought my help and allowed me to work on their cases in the hope we could prevent such things from happening again and address the injustices.

I have many wonderful friends and supporters that have stayed the course while others disappeared when the going got rough. For you all I am most grateful.

I also need to oddly thank those who set themselves up as my enemies within CYF, the MSD and online in cyberspace. What followed was a crash course and steep learning curve that no amount of training could have prepared me for in my wildest dreams... or should that be nightmares LOL?

To my close and wider family who suffered as a result of CYF. None of us asked for this and we all had to put up with what came as a result of them. I say thank you to those who tried to help and endured so much in many ways and then still stood by me and the wider family member this was all centered around.

Lastly, to the tutor at CPIT and a University course provider I approached who both said my literacy skills were not up to the required standards. I have used what little I have in your eyes being all my skills and resources to try and make a difference, how about you? This is my parting shot for your benefit.

Consider this my dissertation and thesis for a Doctorate of Philosophy - a compilation of my life's work studied at the School of Hard Knocks and the University of Life.

How you can help and get involved:

People normally assume we are talking about money and while that's always helpful there are also other ways and means to offer practical help beyond that.

First and foremost please share this book online anywhere you like as the more people that do that the better. That's because for better or worse there is no other book like this which attempts to give insights and an overview of the entire CPS from beginning to whatever the end result might be for those subjected to it.

Some people have suggested since the Government announced the expert Panel to look at the modernizing of CYF in 2015 I got what I wanted so job done.

Often people are talking at cross purposes because they don't see how there are other factors at play beyond CYF that also need to be considered.

While CYF play the major role in the CPS there are also other issues that need to be looked at like the Family Courts/Caught\$, Legal Aid let alone the so called checks and balances and purported avenues of redress as I outline the issues around them in Chapters one and two.

Only as people understand the wider issues which might only come from the sharing of this book have we any hope of bringing about an overhaul of the entire CPS.

From the shearing of the book often information comes to hand we would not have gotten any other way without that having happened. Insiders want to have their say and people caught up in the system. I often get Social Workers and Lawyers contacting me off the record for that reason. If you worked in the CPS or a user of it and have something to add to this debate please write it down and send it to me via email using the address on the next page. We can keep my sources anonymous as well.

I rather information come via email because if I have to transcribe something given I have dyslexia that becomes a problem for me. If you want to further protect your identity, don't be afraid to ask your friends to pass information to me on your behalf. I often get information this way as well. Information and knowledge is power and sometimes priceless.

As you can gather if you have really good literacy skills and the time to help with editing documents this would be greatly appreciated.

We are always looking for other skills like Webpage and Wikipedia designers along with signwriters, bloggers and podcasters etc... There are a range of things we have done and could get underway in the future.

We have also had people do songs, poetry and even artworks to help spread the campaign message and plight of families and children under the CPS. Some have allowed s to use them to raise money for the cause.

People might want to print copies of this book and distribute them around the place.

If you can do double-sided printing that saves half's the size/volume of the book. The book is **A4 size** for that reason and the fact we wanted to use larger print rather than smaller for the hard copies. If you have the PDF you can of course adjust the size to suit. We are going to attempt an audio version of this book for the visually impaired and those who don't read well. If you know anyone who can help with that please put us in contact with them. We made the text highlightable for use with a screen reader as well for that reason.

If you want to help with donations feel free in one of two ways:

One, ASB bank Greymouth branch
12-3168-0007613-00
CYF Watchers & Support Group.

We actually found as a lot of people use online banking this was used more then Givealittle:

Two, Givealittle <https://givealittle.co.nz/cause/cyfwatchersnz>

If you find the bank account or Givealittle does not work Facebook or email us on CYFwatchers@gmail.com as I am sure they will try and be closed down at some point by the establishment.

I have more than given the MSD a run for their money with no money myself let alone the compounding issues my lack of literacy skills causes problems for me and only helps the MSD get the upper hand most of the time.

We are going to use any funds raised to take a judicial review against the MSD biased complaints system as I talked about from pages 103 to 106. We also plan on taking private prosecutions against some Social Workers who have got away with far too much for too long already. . We hope to develop a few **do it yourself** guides when dealing with the CPS system as well.

Ironically what I have found over time people that talk the most about wanting to bring about accountability for CYF often contribute the least overall. Most of the help with the Petitions and alike has come from people that say little online but then do the most work behind the scenes when the chance arises. My point is this is a time to be called to action and for those able and willing to help in any way they can if you truly want to see real changes with the CPS for the betterment of us all.

After the first pre-release of this book on August 9th 2015 a lot of people who said they would make a donation didn't. Not that they had to as the book is free but they did offer is my point.

I do realize most of that comes down to the fact people have busy lives and simply forget as people who did remember pointed out sometime later when they apologized for the delay LOL.

We also found the people who made a donation were not the well-off ones better able to do so.

If everyone I helped gave a few dollars we would have tens of thousands.

I have tried for 15 years to do this all without the proper skills or money so now it's time to get them and see what we can do from there.

That's simply because we will need to buy in the skills we don't have unless we can find a pro bono lawyer somewhere... or a politician that will really look into the CPS in its entirety from CYF to the Family Court and everything in-between.

Either via legal action or Parliament will the issues I raised in this book come to a head, or maybe both will be needed. Be warned the Government has had two decades and 14 scathing reports about CYF in which they have done little about them. So are the changes to be announced in December 2015 more about being seen to be doing something or a privatization agenda under stealth.

My point is the public's support is invaluable if people can help in ways I have suggested in this section. Don't just leave it up to Governments and trust them to get it right on their own without public persuasion being put upon them to do the right thing for all.

On a more personal note if you know of any software to help dyslexic people like myself I would be most interested in knowing more so if it's freeware. Also any other forms of technology like smartphone apps that can help me even up the odds with the literacy issues....

So there is any number of ways you can help if you so wish and have the time. Least of all please join my **Child, Youth and family services (CYF) accountability**, Facebook group
<https://www.facebook.com/groups/162963230683/10153092352895684>

If you have any initiatives that might help the cause I would be most happy to hear them. I am always open to new ways of doing things and ideas.

Where to from here and what comes next only time will tell, when we get there. In the meantime we press on with what we can do and have it our disposal.

In closing I really do want to thank those who have helped over the many years in the ways I have talked about as above.

I am not done yet...
Cheers Graeme ☺