

The School of Hate – How abuser parents destroyed a family at a State Public School Child Care Centre

Introduction

This paper documents shows how 3 abuser parents on the management committee of a State Public School Out Of School Hours child care facility (“the PSOOSH”) destroyed a family at a State Public School.

Although the fault was primarily with these 3 corrupt parents and the Management Committee of the PSOOSH, the damage was compounded by a systemic failure at every level by those responsible for ensuring the PSOOSH complied with federal child care regulations, and various commitments about “inclusion” and “a fair go for everyone” from various state and federal political leaders and public servants.

The objectives of this paper are:

- That there be an end to the situation where funded child care centres at public schools are left to self-manage,
- Instead regulators be required to actively and promptly investigate complaints about access and take strong action to weed out operators, teachers and committee members who are treating the centre as their own personal fiefdom and sabotaging access to places,
- Similarly the child care industry bodies provide ethical leadership by not employing persons, or giving membership to centres, responsible for deliberately breaching child care regulations, particularly where the breaches prevent access to childcare.

Context

This document excludes identifying material at the request of the Productivity Commission. However, it is important that the people who failed in their responsibilities are named and known. To this end a second document is being provided to the Productivity Commission with identifying material and evidence.

However it is important that readers (particularly ALP / Greens supporting women who will try and invent some other back story for what occurred) are aware that:

- The family concerned is the family of a single father (“FatherX”) and his 2 children enrolled at a State Public School in a State Capital City.
- The Tribunal Hearing The Discrimination Complaint (“the Tribunal HTDC”) found that the PSOOSH had victimised the father by not providing him with child care after he made an anti-discrimination complaint about the centre.
- The PSOOSH is funded under the Commonwealth’s childcare funding program and therefore was required to comply with various regulations, including being open to everyone in the community, and complying with the priority of access legislation.
- Under Commonwealth priority of access legislation, FatherX, as a single parent, had preferential access rights to child care at the PSOOSH.
- Nobody has ever made any claims or suggestions that the father was anything other than an excellent parent to his children, nor suggested that his children were not well cared for throughout this period.
- Nobody has ever made any claims that there was anything inappropriate in the father’s relationships with any other members of the school community – i.e. teachers, child care centre staff, other parents or children at the school.
- The facts as recounted were found to be true via the Hearing before the Tribunal HTDC.
- Many of the facts were corroborated by the PSOOSH Co-ordinator, who was a witness for the PSOOSH. The parents on the PSOOSH Management Committee, nor their legal team, did not make any attempt to discredit the Co-ordinator or suggest she had an ulterior motive when giving her evidence about the operation of the PSOOSH – she was their own witness.

What Happened?

FatherX cared for his children during their initial years at the Public School by working from home on a self-employed basis. As his children reached the middle years in primary school, FatherX decided he wanted to return to a full time job (not at home). Accordingly he needed to access after school care for his children at the PSOOSH located at the school. There isn’t anything unusual about this situation (except perhaps for the gender of the parent).

The PSOOSH provided care before school and after school, and had two child care options (these are similar at most OOSH facilities around Australia):

- Permanent Child Care (“guaranteed child care”). About 70 places, where children are booked in for the same time period, same day of the week, for every week of the term. It is possible to book only a morning, or only one day a week, but the booking must be the same every week. The booking is only made once a term although it may be changed if the parent’s needs change.

- Casual Child Care. There are 5 places set aside for casual needs. These cost \$1 more per session, and can only be booked in the current week. It was not possible to book casual places weeks ahead.

FatherX decided that he would prefer if he could book Permanent Child Care options on alternate weeks. He felt the Casual Child Care option was unreliable for full time employment as there were only 5 places, they couldn't be booked ahead, and were often booked out in that week.

FatherX met with the Child Care Centre Co-ordinator, who was also a member of the PSOOSH Management Committee. He asked if he could make an alternate week permanent booking. The Co-ordinator responded that he couldn't, his only options were the Permanent and Casual options as described. FatherX said he was unhappy with this situation, but took an Application Form for Child Care at the Centre.

FatherX thought through his options and decided:

- His first preference was alternate week permanent care. He felt it was unfair and discriminatory that this was not available and so he would make a complaint to the appropriate anti-discrimination body.
- In the meantime he wanted some child care, so he decided to put in an Application for (weekly) Permanent places and he would just pay for the days he didn't need. [This might seem extravagant to some readers, but OOSH care (e.g. \$15 a session) is a lot cheaper than Long Day Care, and paying for non-required spaces is better than not being able to work].

Subsequently FatherX went back to the PSOOSH and asked to see the Co-ordinator. She was not there, so he spoke to the Assistant Co-ordinator. He handed her an envelope addressed to the Co-ordinator. The envelope contained:

- A letter advising that FatherX was going to make an anti-discrimination complaint because he couldn't get alternate week permanent places. The letter also referred to the attached Application for Child Care places.
- A completed Application for Enrolment and Booking Request for Permanent Child Care at the facility, on 4 afternoons a week, starting from the PSOOSH centre's next business day. [At the subsequent Tribunal HTDC Hearing the Centre Co-ordinator agreed that this form was unambiguous, and correctly completed, and it was everything the facility required in order to provide FatherX with Permanent Child Care for his children].

Then nothing happened

That's right ... nada ...

So what *should* have happened to provide FatherX with Permanent Child Care:

- The PSOOSH staff should have enrolled FatherX's children at the centre (entered their details into the computer system and stamped the form accordingly).
- PSOOSH Staff should have called FatherX and advised him whether the days/times he requested were all available, and if not did he want to go on the waiting list for those times. [Places were available on some of the days].
- PSOOSH Staff should have added FatherX's children's names to the permanent booking schedule allocating them permanent child care places at PSOOSH for the next business day, and ongoing days as per the Booking Request.

What Actually Happened At PSOOSH?

Over the next 4 working days there were 3 interactions between the PSOOSH Co-ordinator and Parents on the PSOOSH Management Committee.

- On the day the letter and form were hand delivered to PSOOSH, the Co-ordinator was on leave. However, the Assistant Co-ordinator called the Co-ordinator at home and read the letter to her over the phone. The Co-ordinator wrote down the letter word for word. The Co-ordinator then called the Parent Treasurer on the PSOOSH Management Committee, a woman ("Abuser1"). Abuser1 instructed the Co-ordinator not to make any response and to forward the letter and the application form to the parents on the Management Committee.
- The next business day the Co-ordinator returned to work. She saw the letter and application form and put them in the pigeon hole to be collected by the parents on the Management Committee. The letter and application form were collected by either Abuser1 or the President of the PSOOSH Management Committee, another woman, ("Abuser2"). [At the Tribunal HTDC Hearing the Barrister for the PSOOSH admitted the form and letter were forwarded to and received by the parents on the Management Committee].
- Four working days after FatherX hand delivered the Letter and Application for permanent places to PSOOSH, the PSOOSH Management Committee held its regular monthly meeting. In General Business the Co-ordinator raised that they had had a request for alternate weekly permanent places and the parent was unhappy when this was refused and said he would make a discrimination complaint. The minutes of the meeting record that:
 - The Co-ordinator raised the request for alternate week permanent places,

- The Committee decided they were not going to change their policy (which did not allow alternate week bookings), and
- Action Item: That the Parent Vice President (a lawyer, “Abuser3”) would draft a response, to be signed by Abuser2 (the President).
- Abuser1 attended this meeting.
- Also in attendance at this meeting was the School Principal, another woman, who was a member of the Committee, and had a leadership position in that she was acting Chair of the meetings when the President was absent.

During her evidence to the Tribunal HTDC Hearing, the PSOOSH Co-ordinator (PSOOSH’s own witness) agreed that:

- She was a member of the Management Committee.
- She had told FatherX he could not get an alternate week booking for permanent places.
- She was unsure what to do when she became aware of FatherX’s letter and Application, so she called Abuser1 for advice and instruction.
- The reason FatherX was not provided with permanent child care was because he had said he was making an external discrimination complaint. After hearing about the complaint, Abuser1 had instructed the Co-ordinator not to make any response, and to forward the letter and application to the parent committee.
- The PSOOSH Co-ordinator believed this was an important and urgent issue and they had to respond to FatherX as soon as possible. The only reason the Co-ordinator didn’t respond herself, and provide child permanent care places, was because the parent Committee Members instructed her not to, and said they were going to respond.

What Went Wrong?

Despite the Action Item at their Committee Meeting, the 3 abuser parents on the PSOOSH Management Committee subsequently decided together to make a stonewalling “do nothing, deny everything” response. In “doing nothing” they decided not to provide FatherX with any child care or make any response to him at all; and in “denying everything” they decided to lie and claim that none of the above had happened, and that the Committee Members were not aware of any applications or requests relevant to FatherX or this matter. [Reminder: At this point they had FatherX’s letter and Application in their possession, as well as the minutes of the recent Committee Meeting].

So in effect these 3 abuser parents simply hijacked another parent’s application for child care, moved it under their control, and decided to do nothing and claim they were not aware of the application.

Further to cover up the sabotage, they decided to claim that the Co-ordinator had told them that she had offered FatherX *casual* places and he had refused them, so the business was justified in not making any further response and in not providing FatherX with any child care at all.

- Abuser1 claimed that The Co-ordinator had told her (Abuser1) that the Co-ordinator had offered FatherX casual places and he had refused them.
- The 3 abusers continued to insist this had happened for the whole year. Even after they had a sworn statement from their own Co-ordinator making it clear she had done not responded to the application as per instructions from Abuser1. [In her evidence the Co-ordinator said that none of the parents had ever even asked about her interaction with FatherX, their only focus had been to stop any interaction].
- The 3 abusers used this lie to justify not providing any child care to FatherX for the whole year.
- Despite the fact that it is a lie, it is also irrelevant. Since FatherX applied for permanent places, the issue is whether or not permanent places were available and provided. The false claim of offering casual places is immaterial to the centre's obligation to provide permanent places to FatherX as he had requested.

Why would the parents do this?

The easiest way for readers, particularly women, to understand what was going on here is to consider the following example.

A woman makes a complaint for sexual harassment against her employer. Three male executives decide to 'take care of her' by lying and claiming that the woman resigned before the alleged sexual harassment took place and so they aren't going to pay her any salary, nor make any response to the sexual harassment complaint as she wasn't an employee at the time.

The executives then meet with the woman and suggest to her that they are going to claim she resigned, and they've stopped her pay, and they are going to argue this makes her harassment complaint invalid. But if she does the smart thing and drops the complaint, then maybe they will let her reapply for her old job.

Most readers will understand this to be intimidation and coercion, and that the organisation has significant internal cultural problems beyond the sexual harassment complaint. This type of behaviour is unlawful and comes under the victimisation provisions in anti-discrimination legislation.

There are a couple of important points to make about this example:

- The employers are responsible for ensuring there is no retaliation against the woman.
- In this example the woman has other places to go for support and protection. She can go to the Union, or make a separate claim for wrongful dismissal to the equivalent of Fairwork Australia.
- This isn't a situation for mediation, particularly off the record mediation. Part of the abusers strategy is to stone-wall and make lots of false claims to justify continued exclusion. They hope to force the complainant into mediation where they can make their threats clear and try to force their target to drop the complaint.

Mediation isn't a valid solution to abuse (e.g. a rape, paedophilia or domestic violence), particularly when the abusers aren't able to acknowledge their own wrong actions. And this form of stonewalling and sabotage is just another form of abuse; the abusers are trying to manipulate the situation in order to force someone else to submit to the abusers' will.

This tactic is a direct transfer of behaviour by abuser women and corrupt lawyers in the Family Court. A father is suddenly locked out of the house and denied access to his children – and all sorts of claims are made against him justifying his exclusion. The father is then presented with a lose/lose scenario – his options are to accept an unfavourable settlement via mediation; or he fights the false allegations for a few years - but is ruined financially and loses contact with his children anyway, while the case proceeds.

Women's groups, corrupt lawyers and ALP women support this approach by abuser women. Hence they lobbied successfully to remove the requirement for "reasonable" claims from the Family Court Act when the ALP was in Government. These groups want women to be able to make coercive false claims.

The exploitation is more muddled in the Family Court because the claims often refer to safety and Family Court Hearings are not made public. However, this abuser behaviour by women and corrupt lawyers is on full display in this PSOOSH case. And the PSOOSH abuse was done with the full support of women by-standers, women in regulatory supervisory positions, the responsible ALP women Ministers, and women in the Human Rights Commission. **"The standard you walk past is the standard you accept"**.

A couple of further points about the PSOOSH situation:

- The child care centre had permanent vacancies throughout this period, and FatherX had made no claim for financial damages against PSOOSH for most of the year. The only motivation these 3 abusers had was resentment about the discrimination complaint and the likely external review of their decisions and behaviour. The Abusers didn't want an

external body examining their behaviour, and they were prepared to destroy a family at the public school to prevent this happening.

- Some readers might think the behaviour of the 3 abusers is extraordinary. However, it is important to understand the nature of intimidation. Intimidators always resort to extreme measures as these are more likely to be successful. And they didn't care what they did because if the complaint was withdrawn, nobody would investigate or know about their behaviour.

How Does One Respond to Abuse and Victimisation?

Then Prime Minister Julia Gillard made an important point in her launch of the federal anti-bullying policy. She said "you don't argue with bullies you report them".

And that was the appropriate response here – FatherX told these 3 abusers to stop and tried to report them. The problem was there was nowhere of any integrity to report them to. There was systemic failure at every level.

FatherX met with the 3 abusers, four times in the year.

- He continued to tell them they couldn't do what they were doing, and they had to respond to his Application documents.
- He gave them a copy of the priority of access legislation. He made the situation clear in writing - that he had made an application and still wanted child care.
- FatherX sent copies of these documents to the School Principal.
- FatherX told the abusers he was reporting them to DEEWR. The abusers were also aware FatherX had raised the issue with the State Education Department.

FatherX wrote to all the Parent and Teacher members of the PSOOSH Management Committee individually, with copies of relevant documents, and told them what was going on, and that these three members should be removed from the Committee. No action was taken. Most of the members of the Committee were women.

FatherX contacted the child care manager at two local councils. The first (a woman) did not return his calls or messages. The second (another woman) agreed the centre should provide him with places but she couldn't do anything about it.

FatherX contacted the PSOOSH centres at other local schools to see if he could get child care there. They all said they only take children from their school. FatherX confirmed with DEEWR that this is a breach of the legislation. All the funded OOSH centres have to be open to everyone in the community; they cannot limit access to only families from that school, or even give them preference.

FatherX contacted his local federal member, who told him DEEWR has responsibility. [This is correct it is DEEWR's, and the appropriate Minister's, responsibility to ensure funded centres comply with access legislation].

FatherX contacted DEEWR and left a message with their "dob in line" for when child care facilities are not complying with their responsibilities. A woman called back the next day and told FatherX the centre had to comply with legislation but she wasn't going to follow up or do anything to make them comply.

FatherX wrote to 4 ALP Federal Ministers with responsibility for education and childcare, and also to their coalition shadow ministers.

- One shadow minister responded with encouragement to FatherX in taking action, although she said it was the Government who had to respond.
- The responsible Federal Minister at the time was Julia Gillard, who was also responsible for social inclusion. Gillard garnered a lot of attention for herself by getting angry when someone stood beside a sign Gillard didn't like. However, when a single father wrote to Gillard about his problems getting access to child care at an Australian public school, Gillard didn't even respond.

FatherX wrote to the Head of DEEWR, another woman, she did not respond.

FatherX contacted National Childcare Accreditation Council (NCAS). This group sends self-reporting surveys to all the child care centres asking them if they are complying with regulations. The NCAS said that DEEWR is responsible for ensuring centres comply with the priority of access legislation [This is correct, it is DEEWR].

FatherX wrote to the State Premier (ALP) and State Opposition Leader (Coalition). The Opposition leader responded with encouragement, the Premier replied that he had referred it to the Education Minister.

Father X wrote separately to the State Education Minister and the Department Head of Education. Included in this was a large document explaining that most of the PSOOSH centres were operating in breach of their regulations by limiting access to only their school community. The Education Department delegated their response to the head of the local education area (a woman). She compiled a response with assistance from the School Principal. The School Principal got input from Abuser1. Together these three women colluded to lie back to Education Department executives about what was going on at the school. FatherX received a letter from the Education Department. The letter:

- Trivialised the issues raised and repeated the lie that FatherX had been offered places twice but had refused them [The Principal was on the PSOOSH Committee and at this point the Committee had a sworn statement from their Co-ordinator making it clear that she had been instructed not to make any response to FatherX]
- The letter also advised that the Principal had been instructed to contact FatherX and follow up. The Principal did not ever contact FatherX, even after FatherX made the Department aware that their response was garbage and that the Principal had never contacted him.

As an aside it is worth noting that this type of abuse wasn't abnormal at the school. For example:

- Other requests by FatherX were ignored and not responded to, even though the principal was made aware of the request and it was noted in minutes;
- FatherX's children were told they couldn't take their art home to show their father (while all the other children in their classes were allowed to take their art folios home); and
- The woman organising the school band wouldn't put FatherX's name on the email list, so his children missed music lessons.

As shown in the film "Mean Girls", hate and abuse by women doesn't manifest as violence instead it manifests as coordinated ostracisation and sabotage. This includes inventing and spreading false information designed to damage someone else, and get more people to join in the ostracisation.

Meanwhile the 3 Abusers Continued to Stonewall & Sabotage

One of the problems for those responsible for oversight of this PSOOSH, is that after they decided not respond to any complaints from FatherX, they then become complicit in the unlawful behaviour of the 3 abusers.

By allowing Abuser1 to continue to respond on behalf of the Committee, even after being told she was a liar, the other Parent Committee Members, Principal and Department of Education staff, become complicit in Abuser1's lies under oath. For example:

- Abuser1 claimed the Committee Members didn't know the application form existed for the whole year, yet the President was sent a summons to produce the form part way through the year and it was subsequently filed with Tribunal HTDC. So according to Abuser1 they filed it without ever knowing it existed! And they only filed 10 pages, 8 pages of which were FatherX's application documents. [Repeating that their own

barrister admitted in his summing up that the Parent Committee Members were given the Application].

- Even after being shown the minutes from the Committee Meeting, Abuser1 continued to claim the Committee didn't know anything about the matter.
- Even after being given a letter from DEEWR making it clear the PSOOSH had to comply with the access legislation, Abuser1 still claimed that PSOOSH didn't have to comply.
- Abuser1 claimed she didn't know the identity of FatherX, yet at the same time knew the identity of his children and that they were absent from school for 3 weeks and she believed the family had left the school. [None of this is true. This is also problematic for the Principal and Department of Education. Even after complaints, the 3 abusers were still handed control of the response to FatherX, and these parents weren't even prepared to acknowledge that the family attended the school!].
- Abuser1 invented 2 false versions of the PSOOSH enrolment and booking process, each incompatible with the other. Again the purpose of these lies was to justify not providing FatherX with childcare.
- Under instruction from the 3 Abusers, the legal team for PSOOSH also lied by claiming the PSOOSH didn't even require bookings for child care and had no booking records (at the time the parents had submitted documents on their own volition that showed that both these claims were lies).

The simple reality is Abuser1 regarded FatherX's Application and the process and policies of the centre as her own personal playthings to be lied about and deliberately mal-administered for her own gratification. And she had support from Abuser2 and Abuser 3 and the School Principal. The big question here is **why didn't anyone stop her?**

Was FatherX offered places which he rejected?

"It will be our word against yours and no one is going to believe a nothing like you" - this is the refrain of abusers everywhere. However, the onus isn't on FatherX to prove he didn't reject places. Instead the onus is on the PSOOSH abusers to prove this did happen; in fact they have to prove three things.

1. *Someone has to claim to have personally made the offer to FatherX.* At the Tribunal HTDC Hearing nobody claimed to have personally offered FatherX anything. Abuser1 admitted that she was the source of all the claims about an offer, but importantly also admitted that she did not ever make any offer of places herself.
2. *PSOOSH has to substantiate the details of the offer to FatherX.* Again Abuser1 claims the offer consisted of a 2nd type of casual places. However, both the co-ordinator and Abuser1 at the Hearing said they didn't know anything about this option and it didn't exist. So the actual offer option didn't even exist.

3. *Someone has to show how the offer was refused by FatherX.* Nobody has ever tried to explain how any of these (non-existent) offers were refused, because there were no offer conversations to be rejected.

The PSOOSH legal team at the Tribunal HTDC Hearing did not make any attempt to claim that an offer was made to FatherX. So the conclusion is that it is FatherX's word against nobody's. The claims of offers of places to FatherX that were rejected are simply lies invented by Abuser1, to cover up the fact that 3 abuser parents had decided to stonewall and sabotage his application. These lies were then repeated by chains of other women in leadership positions, including the Department of Education.

What Was The Outcome?

The Tribunal HTDC found that the **PSOOSH had Victimised FatherX** by not providing him with child care after he made an anti-discrimination complaint about the centre. It took nearly 3 years from when FatherX put in his Application for permanent places, to when the Tribunal HTDC made its decision.

FatherX was ruined financially in the process. He had no income during the period. He had closed his self-employed business, but was unable to look for work without childcare. He was forced to spend his superannuation to house and feed his children. A family that always had been self-sufficient will now be dependent on government services. FatherX continues to be personally traumatised by what happened and many of his social relationships have subsequently broken down.

PSOOSH is a not for profit centre that should be using its capital reserves to improve facilities for children attending the centre. Instead it squandered scare capital on protracted legal stonewalling, their own legal fees, and paying damages to FatherX.

PSOOSH staff were adequately qualified and the centre had a full set of procedures which the staff tried to follow. The problem here was that the abuser parents in leadership positions on the Management Committee deliberately subverted the operation of the centre to exclude a parent at the school from access to child care.

There was never any action taken from within the school community to remove these 3 abuser parents from their positions.

Throughout this period Abuser1 was in full time employment at one of the child care peak industry bodies where she can advise other child care centres how to manage themselves and complaints by parents. This situation continues.