

on the case when contacted by The Australian on Monday. A spokesperson for Territory Families would only say that the safety and wellbeing of children and families is their "utmost priority".

"Child protection work is extremely complex and is done with (a) range of partners from police, health, and non-government organisations. This work is regularly reviewed to ensure the actions were appropriate and in the best interests of the child."

There have been no allegations that Benny was unsafe with Tom or Marie, or lacked love and care or was denied cultural connection. They have close bonds with the children's birth family. Two grandparents and an aunt told The Australian earlier this year they were content for the children to live with Tom and Marie because they got to see them, were welcomed into the family home.

But the matter has been escalating since August 2021 when the couple were informed their authorisation as foster carers had expired. Standard-of-care concerns had been raised and Benny and Milly were removed without warning and before the couple could respond to the concerns.

"We were not permitted to have any contact with the children, not even to explain or say goodbye," they said.

In a letter to Territory Families they said: "Had we been given the opportunity to respond, the issues could have been examined and quashed and the children would

Indigenous boy Benny is restrained by Northern Territory police officers on Friday

not have been traumatised by being removed from our care."

Milly was subsequently shuffled through 13 foster placements and two residential centres. "A mentally unwell child, and they did that to her," Tom said.

She kept running away, back to Tom and Marie who'd cared for her since she was 18 months old. "She'd come back to us and then we'd have to force her to leave. It was horrendous," Tom said, describing the trauma of physically forcing the screaming child into a car. "After about the 11th time we said we can't do this anymore. I had to say, 'I am not going to make you get in the car. I'm not going to send you away anymore.'"

That was late last year and Milly has been allowed to stay with them since then. They say that Benny, living nearby in other foster care arrangements, was not allowed to visit or see his siblings, even on special occasions, a matter of ongoing concern in light of the Aboriginal placement principle that puts connection with kin as a high priority.

It's understood matters escalated over recent weeks when he was about to be moved to another foster care home. He too ran back to Tom and Marie.

A letter from Territory Families, sent last Thursday, referred to the "repeated occasions" the couple had had Benny in their home without authorisation and or-

dered them to return him, noting they were no longer certified carers. The letter warned that the department had the power to apprehend and remove the child, who is under the guardianship of the department's chief executive officer until he's 18.

Police and Territory Families workers had attended their home previously and requested that Benny leave with them but he refused. "I said to them 'I am not stopping you from taking him'," Tom says. "I just wasn't prepared to force him to go. He was choosing to be here, he was self-placing and refusing to leave."

Maries says they encouraged him to give his new foster care placement a go, but he was steadfast in his refusal.

They believed mediation was still an option at this point. Arrangements were being made for meetings between the couple and the department this week, but before that could happen, in the back and forth of arranging suitable dates and times, police and departmental officials arrived last Friday with their court order and police van.



It's the culmination of a 13-year ordeal that began when Tom and Marie agreed to foster Milly and Benny and their two older siblings, Jess and another child, who killed himself at the age of 15 while living in a residential care home.

It's a story of a couple without children of their own who offered a loving home to the four siblings who'd been removed from their parents following neglect, malnourishment, serious abuse and extreme family violence.

With little support, at times, in dealing with the highly traumatised children who all displayed

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TOM AND MARIE
FOSTER PARENTS

troubling behaviours, Tom and Marie increasingly found themselves at loggerheads with case managers and the department. They felt their calls for help, their evidence of violent outbursts from the children and their times of heightened stress were used against them to blame them for not coping.

In the "standard-of-care concerns" used to justify removing the children, Territory Families listed the significant levels of stress the carers exhibited. They were accused of not working collaboratively and constructively with the

department's care team, of being unwilling to follow advice, being inconsistent around their needs for respite care and differential treatment of the children.

In a letter of complaint to the Northern Territory Children's Commissioner, Tom and Marie described the allegations as unsubstantiated and nebulous. They attempted to describe their challenges working with the department. "We are constantly called on to explain and re-explain, justify and re-justify to staff who are frequently unaware of the history of these children despite having access to years of paperwork.

"The huge turnaround of staff results in their ill-supported responses and strategies. What we have carefully created with one set of teams is immediately dismantled by the incoming team with opposing frameworks, philosophies or beliefs."

The Australian has heard similar complaints from other foster carers in NSW and the Northern Territory who raise the risks of becoming known as "problematic carers".

Marie said they challenged the reasons for the children's removal "via any avenue we could find", but to no avail.

A child psychologist who worked with the family said that Tom and Marie had shown "a lot of resilience and love towards the children. They have shown to be

very capable of caring for the children."

"I believe there needs to be support from Territory Families towards the family but also towards myself as I have had no luck in trying to collaborate with the ... case-workers for the family."

The principal at a school attended by Benny was also glowing in his assessment of Tom and Marie. "Their love and care ... was a constant in his life since he was a baby and with their support we could all see that [Benny] had a real shot at a successful happy life."

Tom and Marie can only hope this is still the case.

They don't know how Benny is coping after Friday's events. They have no right to any information about him and don't know where he is.

As for Milly, Territory Families has engaged an external psychologist to do a thorough assessment to determine her needs. "I appreciate that you have engaged in this process. TFHC await a final report from the psychologist to determine the most appropriate arrangements for [Milly]," the department said in a letter to Tom and Marie.

So now they must wait, while assuring the children that whatever happens, they love them.

"We made a lifelong commitment to the children," Tom says.

"We remain faithful to them."

**Names have been changed*