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Child death cover-up: How child protection system left Peanut, 2, to die at home

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- From: The Sunday Telegraph
- December 14, 2014 12:00AM



Two-year-old Peanut died in 2011 from a fractured skull while at home.

Source: Supplied

A TWO-year-old girl died from a fractured skull inflicted by a family member after care workers ignored 15 separate calls warning them she was at risk of serious harm, a leaked report has revealed.

The toddler, who cannot be named for legal reasons but went by the nickname Peanut, died of a fractured skull

after an assault by someone in her family on April 1, 2011.

Peanut was born to a 17-year-old mother who also had a child protection history, was a known self-harmer, had a serious mental illness, abused drugs when pregnant and lived in a violent relationship with the child's father, who was on the child sex offender register.

A leaked Department of Family and Community Services (FACS) report prepared by a senior manager and presented to then-minister Pru Goward in July 2011 gave a detailed analysis of how FACS failed the child on numerous occasions including:

- THE 15 reports about the child's welfare were never investigated;
- REPORTS of serious harm were "closed due to competing priorities";
- SERIOUS reports of harm were wrongly classified under new prioritising regimes; and
- CASEWORKERS spent 43 hours at the computer recording reports and "decisions to take minimal action or no action at all", and only four hours dealing directly with the family, mostly by phone.

The leaked report said: "Had even a third of that time been devoted to direct work with the family, a risk assessment and home visits could surely have been undertaken."

The report also said the department failed the child: "By any risk assessment method in use in the field of children protection services, this child would have been assessed as being at the highest possible risk.

"The question that must be asked is why, despite so many reports, no child protection response took place."

The internal report also contradicted the department's own November 2011 'Internal Child Death Review Report'.

The official report downplayed the case as "on the borderline between early intervention and child protection".

Dr Joe Tucci of the Australian Childhood Foundation said the case was: "a failure on every level" and Professor Chris Goddard from Child Abuse Prevention Research Australia called for an independent review.

A spokeswoman for Ms Goward, now Planning Minister, said: "The Minister at the time this family needed support was (former Labor Minister) Linda Burney. Since coming to office in 2011 the NSW Government has made substantial improvements to the child protection system."

Professor Chris Goddard, from Child Abuse Prevention Research Australia, called for an independent review of the case and also criticised the "competing priorities" mechanism.

"What an extraordinary phrase, 'competing priorities'. In so many ways this summarises the position of children. What a symbolic call. Even when children are in danger, grave danger, others take priority," Prof Goddard said.

A spokesman for the Department refuted there were two reports, citing the only review was the internal child death review report.

"The review stated that Peanut's death could not have been predicted as there was no information being reported to FACS that suggested that she was at risk of being physically assaulted," the spokesman said.

"The review was based on the information available at the time."

The spokesperson also said the department was hiring more staff to address vacancies.

"The vacancy rate in 2013-14 was 10 per cent, as it was in 2012-13. The vacancy rate in the June 2014 quarter was five per cent. This is an improvement on the previous quarter reflecting increased recruitment to meet vacancies," the spokesman said.

Face-to-face caseworker visits in response to children and young people in risk of significant harm reports improved from 21 per cent in 2010-11 to 27 per cent in 2011-12 and 28 per cent in 2012-13

The Minister Gabrielle Upton did not comment.

Shadow Minister Linda Burney said the child died during a period of declining caseworker numbers.

"We know 206 caseworker positions were cut between 2011 and 2013 and in the same period there were 176 caseworker positions vacant," she said.

"We also know that 40,555 reports to DOCS in 2012-13 were closed due to resource constraints and never received a face-to-face assessment or home visit — up from 15,570 in 2010-11."

SHAME FILE

KIDS computer entries for 'Peanut' (Date/Risk/Response)

- 16.7.08 Psychiatric disability/carer referred early intervention
- 4.09.08 Domestic violence/child exposed further assessment /closed
- 9.09.08 Peanut born.
- 1.10.08 Risk of sexual harm/injury further assessment
- 2.12.08 Risk of sexual harm/injury referred early intervention
- 17.2.09 Emotional state of carer proceed as planned

Case escalated to Child Protection

Child Protection reports 'Peanut'

- 23.9.09 Risk of serious harm/injury **Unallocated - Closed competing priorities**
- 20.10.10 Domestic Violence **Unallocated - Closed competing priorities**
- 20.6.10 Risk of sexual harm/injury - **Mother invited in for interview**

24. 6.10 Domestic Violence plan - **Closed 'cannot be allocated'**

6.12.10 Telephone concern logged **Non-risk of sexual harm – closed**

22.12.10 Risk of sexual harm/injury - **Unallocated – closed competing priorities**

3.2.11 Call concern for child - **Non-risk of sexual harm – closed**

7.2.11 Call concern for child - **Non-risk of sexual harm – closed**

17.2.11 Domestic Violence/child exposed - **Closed**

1.4.11 Peanut dies

WHY PEANUT NEVER HAD A CHANCE

THERE WERE PLENTY OF WARNINGS, BUT NOBODY WENT TO VISIT A CHILD IN MORTAL DANGER, Jane Hansen writes.

HER nickname was 'Peanut' because she was chipmunk cute with big brown eyes and a cheeky grin. But in the last 24 hours of her life, someone beat the toddler so furiously, bruises on her buttocks went through to the muscle.

The knocks to her head fractured her skull and produced fatal swelling.

Peanut died on April 1, 2011 at age two and a half.

Who in her family actually killed her still remains unclear three years after the Coffs Harbour toddler's death, but who failed to save her is clear — the Department of Family and Community Services (FACS).

The Sunday Telegraph has obtained access to the computer records which show that the 15 calls that were made about Peanut to the Helpline at the Coffs Harbour Community Service Centre included reports about sexual harm, domestic violence and drug abuse.

All failed to result in a single face-to-face risk assessment.

In almost all instances, reports about Peanut's wellbeing were 'closed due to competing priorities', which is code for not enough staff.

The "competing priorities" default option meant the most vulnerable children simply fell off the radar, the Australian Childhood Foundations's Dr Joe Tucci said.

"Competing priorities should never be reason for closing a case, or a reason not to be investigated, and this case is the highest order of failure I've hear of in a long time," Dr Tucci said.

THE CALLS

The first call to FACS was before Peanut was even born. On July 16, 2008, a health worker called the Helpline about the psychiatric wellbeing of the unborn child's mother.

The mother presented to hospital with bruising on her knuckles after punching a cupboard. Two months earlier the mother had cut her wrists, requiring nine stitches.

It was noted the mother was also smoking 'three cones of marijuana every night'.

On September 4, five days before Peanut was born, a call was made to the helpline saying the unborn child was exposed to domestic violence.

On October 1, when Peanut was only a few weeks old, a report was made that the child was at risk of sexual harm.

It was only at this point that FACS found out that the father was on the child sex offender register. On December 2, NSW Police reported that Peanut's father had been charged with sexual assault on an adult female whilst drunk.

“ Competing priorities should never be reason for closing a case, or a reason not to be investigated, and this case is the highest order of failure I've hear of in a

On February 17, a report was made about the emotional state of the mother — “severe mood swings” and “difficulty coping and sleeping” were reported.

**long time
- Australian Childhood Foundations's Dr
Joe Tucci ”**

Further concerns were made that the mother 'frequently smashed things'.

Peanut, and her family, were at this point still enrolled in an education program which was not a child protection service but an early intervention and support service that is voluntary.

On the April 14, 2009 the case was escalated to child protection, meaning the Peanut was deemed to be a child at risk. From this point on, Peanut did not receive a single visit from a child protection case worker.

On June 20, 2010 a report to the helpline required a response within 24 hours.

The police reported the mother had locked herself in the bathroom and had cut her wrists.

A child protection worker wrote 'there are no known protective allies in the home and [the mother] is extremely vulnerable to a range of harms due to her age.'

The department response was to invite the mother and child in for an interview at the office a few days later. It was the only contact Peanut had.

In February 2010, while still strapped in her pram, Peanut witnesses her mother punch her own mother, Peanut's grandmother, in the face.

The wheelchair bound grandmother had multiple sclerosis.

Another report was made by a women's refuge worker who noticed the mother placing Peanut "into the pram and tightening the straps to ensure Peanut could not move, the mother stated she did not care how tight it was or if it bruised' Peanut.

Peanut was dead by April 1, 2011.

HOW DID PEANUT DIE?

In the last three weeks of her life, Peanut was left in the care of her grandmother's ex-fiancé. The man, who Peanut's mother referred to as Dad, cared for Peanut while the mother went to Brisbane with a new boyfriend.

The step-grandfather, cannot be named for legal reasons, told police that on the afternoon of March 30, Peanut's mother and new boyfriend visited and took Peanut out for a few hours.

Peanut returned quieter than usual.

On the morning of March 31, the man heard a loud bang while in the toilet and came out to see Peanut lying on the tiled floor.

He told police Peanut must have climbed on the pram and fell off. He called Peanut's mother who came over.

An hour passed before anyone called an ambulance but the mother rang her own mother five times over the period. In that time Peanut's eye's rolled into the back of her head.

The coroner found that Peanut's injuries were not consistent with falling from a pram.

She died of "a basal skull fracture extending to the left inner ear: bruising to forehead, small haemorrhaging to left eye: several bruises to back of left thigh and left buttocks: bruising to lower back and MRI indicated brain lacked oxygen and blood."

The bruising on the little girl's buttock was noted to be so extensive it went through to the muscle. The bruise was in the shape of a hand. The injuries were received within an 18 hour time frame before the fall from the pram.

The step-grandfather was charged with Peanut's murder, but he was acquitted last year with Justice Elizabeth Fullerton questioning the credibility of Peanut's mother, her boyfriend and grandmother as witnesses.

She found that the mother and her boyfriend had "access to the child on the afternoon of 29 March and the opportunity which was afforded either or both of them to inflict the secondary injuries (or the most serious of them)" and she found that the phone calls between the mother and her own mother were suspicious as was the hour delay in calling an ambulance, suggesting a cover up.

Justice Fullerton found Peanut's injuries "were all inflicted injuries, and were the consequence of an assaultive act or acts by someone."

She also found that "unlike the child's mother" the accused did not have a history of violence and that "the child's mother can, under stressful circumstances, lose self control to the extent of inflicting serious and sustained violence upon a vulnerable person, without apparent regard for the consequences, and then to later express regret and remorse."

"The identity of the person who inflicted those injuries loomed large in this trial," she concluded before acquitting the man.

Peanut's death remains a mystery.