AIMS For a better birth...

Who is defining child abuse?

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Sue Reid, the Daily Mail Special Investigations Editor, speaks out about the secrecy of forcible adoption

A few weeks ago, a British couple called Mark and Nicky Webster were told they will never see their three eldest children again.

A trio of judges in the Court of Appeal ruled that, although these loving parents appeared to have done nothing wrong, it was too late to over turn their children's forcible adoption as they were settling down with new families. What had happened to the Webster family was, they added, 'a disaster'.

The next day, the couple's story was the lead item on the morning BBC news. They were written about in almost every national newspaper, including the Daily Mail. Pictures of the Websters appeared, cuddling the latest addition, a toddler of two named Brandon, as they spoke in moving terms about what has been described by everyone involved - apart from Norfolk social workers who orchestrated the adoption - as a 'gross miscarriage of justice'.

At least the Websters, who are continuing their battle to get their children back through the European courts, could tell everyone what they had suffered at the hands of our child protection system. Like thousands of other parents whose children have been forcibly adopted - and those who have had them returned by social services - the Websters were allowed to speak because their case was over.

Their stories - and others like them - shine a rare light into the shadowy goings-on of the family courts, which operate behind closed doors in every town and city up and down the land. They act as a check on a system that many say has become reminiscent of Stalin's Russia and which is being encouraged by the Government, the legal and medical establishment and above all our fatally flawed social services.

In the 22 years since the Cleveland child abuse scandal, when 121 children were ripped from innocent families on the say-so of a maverick group of doctors and social workers, very little has changed for the better in the world of child protection. If anything, things have got worse.

In England and Wales, 75 children a week, some only newly born, are taken from their families after hearings in the family courts, which the British authorities say must be secret to protect the children's identities. However, this veil means there can be no public scrutiny that leads to a truly unbiased and fair trial. In the normal courts, you are also innocent until proven guilty, but in the family courts this cornerstone of justice does not exist.

All too often, the parents fighting to keep their children have the odds stacked against them. As Barbara

Hewson, a barrister who has been involved in the family court process has said: 'There is a dangerous culture operating within the courts. The parents always have to prove a negative, that they will never be a potential risk to their child. 'That is like proving you will never be mentally ill at any time in your life. There is always a theoretical possibility that you might be. But if these parents cannot prove it, it is enough for the court to take their child away.'

Most worrying of all, is that any parent appearing before the family court is not allowed to speak about what is happening during their case. A whispered word to a neighbour over the garden wall or to a close friend means that a mother - or father - can be sent to prison for contempt of court. Four mothers or fathers every week end up in prison for just this 'crime'. Yet parents tell me on a regular basis that evidence from social workers is routinely made up or distorted, with notes even fabricated, to make the case to take their children away.

However, the Justice Minister Jack Straw has now promised to open up the family courts. Reporters will be allowed in to hear proceedings, although there will be strict controls on what they are allowed to write or publish afterwards.

And there is also a nasty sting in the tail. Innocent parents who have lost their children in forced adoptions or had them returned after mistaken allegations by social services will no longer be able to relate their stories AFTER the case is finished in any way that is meaningful.

Under the proposed new rules they will effectively be gagged for years until the children are grown up at 19. Under the law, their stories will have to be anonymised. No names of the family will be allowed, and certainly no photographs. The Jack Straw proposals - which seem likely to go ahead as I write this article despite widespread protests from family campaign groups - will mean that couples such as the Websters, who have suffered in the most inhumane way possible by having their children wrongly pulled from their arms will be silenced as never before.

(The Websters had their children taken after one of them suffered an injury to his leg. At the hospital they were accused of hurting him, although it is now believed that he was suffering from a medical condition caused by his diet that created the ailment.)

A few years ago I wrote about another couple from Enfield, north London, whose little girl was carried off by social workers and into care at a few weeks old. The father had been accused by the social services of maltreating a boy from his former marriage, a claim rejected by police who investigated.

The family fought Enfield social services like tigers to keep their little girl. Yet, earlier this year, a judge in the family division of the High Court dismissed the parents' new medical evidence that the boy was suffering from a neurological ailment and had not been shaken by his father. In an irony (considering the obsessive secrecy of the child protection system and its courts) the little girl was advertised as though she was a puppy for adoption by social workers. She has now been introduced to her new parents, and will soon by adopted by them.

Yet even though their case is over, her real parents have been told they cannot speak about what has happened. A judge has issued a draconian injunction, at the request of Enfield Council, to stop them giving details about this tragedy in their lives until their daughter is 18 in 2022. It is a sign of the way things are going - if Jack Straw has his way. Once the article was published, I received an avalanche of phone calls and emails from other parents who said their children had also been, or were about to be, forcibly adopted. They came from council estates, middle class suburbs, and even a castle in the heart of England.

Many of the families left desperate whispered messages on my office phone late at night. An e-mail from one father just said: 'Please, please help, NOW. We are about to lose our son. In family court tomorrow for final disposals hearing before he is taken for adoption. We have done nothing wrong.'

A father calling himself 'James' rang from a public payphone to say his wife's baby was one of eight young children seized by social workers from hospital maternity units in Tyneside during a two-week period last summer.

A Welsh grandfather complained that his grandson of three weeks was earmarked by social workers for adoption before even being born. The mother, a 21-yearold with a mild learning disorder, was told that she might - just might - get post-natal depression and neglect her son in the future. To her great distress, her baby was put in the care of Monmouth social services within minutes of arriving in the world. The grandfather said: 'Our entire extended family - including two nurses, a qualified nanny and a police officer - have offered to help her care for the baby. I believe my grandson has been deliberately targeted for adoption since he was in the womb.'

Every one of these people was risking a prison sentence by speaking to me.

Until a year ago, council social work departments were paid bonuses to meet adoption targets. And, believe me, it is still a numbers game. Children are taken on any excuse because it means the social worker will get a pat on the back or the council they work for will get commended by the Government.

I know of innocent mothers who have had their babes in arms forcibly adopted because as teenage girls they suffered a bout of depression. Others have had their families destroyed because they once had a violent boyfriend, or on the grounds that they might, just might, shout at their son or daughter when they become teenagers.

In the scramble to keep adoption figures high, social workers cast the net wide. The real child killers are lost in the crowd.

Yet social workers are only human. They do make mistakes. Take the tragedy of Baby P and a number of similar cases in the north of England.

So why are these ordinary mortals allowed to operate within a shadowy secretive court system with such impunity? The damage done to children who are taken away from their birth mother is well documented.

Many are psychologically scarred for life.

Surely, social workers in Britain, as in many other countries such as Germany and Poland where forced adoptions are unheard of, should be supporting families with problems instead of ripping them apart?

After the Jack Straw plan became known, a mother on the run from social services with her son wrote this to me. It was a sad yet sensible letter. She said: 'My son was taken into care because social workers said he was at risk of 'emotional harm' because I had an abusive husband, from whom I am now totally estranged and have not lived with for some time. 'My husband had never touched my son, and my son had never seen him hit me.

'In care, my son suffered massively. He was sent to a number of foster homes. When I snatched him back and brought him with me to Ireland he became a happy, well behaved child.'

This mother is now fighting to stop British social services taking her son away for a second time (although it was she who first approached them over the drinking habits of her husband and asked for help.) She wants to speak out in full - using her own identity - when her case is finished, and will be very angry if she is not allowed to do so. 'The family courts are no longer about the welfare of children. They are about social workers getting glory, legal teams getting paid, and judges who do not have the courage to turn down applications from councils to take children away in case they make a mistake.'

The mother went on: 'Whilst opening up the courts is a good thing, the sad fact of the matter is that Jack Straw's proposals will prevent people from telling the truth. How many people in the 'real world' will want to read that an anonymous Mrs A and her child have been wronged by the court system and social services. How many editors will want to print the anonymised story?

'Newspapers and television want real faces and names so stories are believable. The new system will mean yet again the family courts win and the people caught up in child care proceedings lose.

'The appalling forced adoptions have been going on in England and Wales for years. What sort of society or government do we have? Please help stop the family courts from ruining peoples lives. In 20 years there will be a massive backlash from children who have been wrongly taken away from their loving families.'

She is, of course, right. Every week my phone rings with a desperate parent saying the same thing. Often they have only taken their child to the doctor, or to hospital, with a routine and normal childhood injury. Suddenly, they are caught up in a fight to stop the person they love most in all the world being adopted.

And they are silenced from speaking about it.

The truth is that nowhere else in the world is this happening with such frequency, and in such secrecy, with the backing of the state.