

Asian, disabled and the victim of systematic abuses of social workers;

From 19<sup>th</sup> May 2008 to 23<sup>rd</sup> May 2008 a mother was before Bradford Magistrates Court on charges of harassing a social worker. She was represented by Counsel who displayed amazing courage in fighting the charges.

The mother some 17 months beforehand had been charged with creating a bomb hoax after the social worker discovered a tracking device on her car and had been in receipt of a hand delivered letter with details of her response for a LA review meeting which she was not permitted to attend and at which they would discuss draconian conditions on managing supervised contact. The same letter was also emailed to the social worker so it was on record.

After two Police interviews the charges were amended to harassment rather than creating a bomb hoax. The social worker had found the device and quite happily drove around with the device in the floor well of her car and handed it to her Team Manager.

The team Manager and the social worker took the letter and the device to the Police station to report it and the Police Officer attending put the device into the back office, evacuated the Police Station and then a controlled explosion was carried out and the local town centre was evacuated as the Police wished to check social worker's car in case there were any other devices.

As you can imagine a disabled Asian mother in Bradford would always be considered a terrorist threat!

Counsel lodged bad character Applications against the social worker, her team Manager and others which if refused would have left the mother with no defence and hence were accepted.

During the course of the trial, the witnesses for the Crown were evasive when answering unable to answer questions without seeing their case files when convenient and having vague recall except when the evidence served their own needs.

The Team Manager admitted that there was a war going on with the mother, that there was serious conflict and the social worker admitted that their supervised contact conditions would distress the mother including denying her the right to video and record the sessions in order to be able to protect herself against false allegations as well as being refused independent witness.

The Crown tried to prevent family court documents being used and the Judge from the family case HHJ Finnerty gave permission for details of the case to be used verbally and read into the record. The Judge was furious as if HHJ Finnerty refused the trial would have to be aborted as an abuse of process since the mother would not be able to provide a defence.

On the fourth day the Crown tried to amend the charges halfway through the mother giving

evidence as they were bound by the charges which specifically gave a four day period for the various courses of harassment to have taken place. The Judge refused.

All seemed fine in the trial in favour of the mother as charges levelled on bad character and bad behaviour of the social workers were not rebutted; the tracker had been placed on the night before the details of the charges therefore being out of the charge dates, the hand delivered letter also. The email was a legitimate response to an invitation from the social worker to reply to the suggested contact conditions sent at 4.30pm on the Friday before the Monday's review was to take place.

The legitimate and lawful service of the handwritten letter to the social worker's home was lawful since the mother did not know where the review was to take place and only by home delivery would she be sure the social worker would receive her comments to deliver to the review.

In a rambling two hour Judgement the Judge using his discretion found her guilty of harassment but made no order other than a restraint order for six months not to contact the social worker or to deliver private documents. Everyone was astounded as at the same time the matters were not private documents, the events outside the times of the charges and the Judge made findings of systematic abuse by social workers, strongly criticised the Team Manager for one of his letters and had refused to hear the mother's three witnesses to supervised contact conditions which included being forced to breastfeed in front of male supervisor, her daughters to be observed urinating and allegations made by the Local Authority social workers that were false regarding the quality of supervised contact and her behaviour.

The Judge prior to giving Judgement was satisfied on the basis of the mother's evidence alone and was concerned that his Judgement may be construed as criticism of Local Authority social worker's generally, when it was on the basis of the particular case that he was hearing alone.

It would seem discretion has crept into the Criminal Court and social workers will be protected no matter what.

Shaun O'Connell witness to the façade of Justice.