

**THE  TIMES**

## How we were victims of forced adoption



Family court hearings are held in secrecy to protect the privacy of the child Getty Images [posed by models]

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Like any good parent, Jacque Cournage gives a lot of thought to the gifts she buys her two young sons for their birthdays. Over the years she has bought them such things as telescopes and train sets, yet every present remains wrapped in their bedrooms in her detached house in Long Eaton, Derbyshire, because neither she nor her husband has seen either child for four years. “I know it sounds odd still buying them things, but I find it comforting,” she says, tearfully. “I believe one day they will come home and unwrap them.”

On October 21, 2011, the Cournages’ children were placed in a forced — or contested, as social services prefers to call it — adoption.

What happened to Jacque, 47, and her husband John, 49, has parallels to the recent story of Karrissa Cox and Richard Carter, whose six-week-old baby was taken into care and later adopted after symptoms of a genetic blood disorder were diagnosed as abuse. After a criminal trial in which a jury accepted that their child was suffering from a vitamin D deficiency, which contributes to bone weakness, and Von Willebrand disease, which results in bruising easily, the couple have launched a bid to get back their child, who is now three years old.

The Cournages’ nightmare — Jacque describes it as “like the plot of a Stephen King novel” — began on Sunday, September 21, 2008, when she noticed an unusual swelling

Share v on the head of her youngest, who was nine months old. They drove to Queen's Medical Centre, Nottingham, to have it checked, but, after an assessment by a doctor, they were accused of child abuse and put under arrest.

At first, she thought the matter would be resolved swiftly — “You know you haven't done anything, so you don't think it's going anywhere” — and when social services and the police were called, the couple co-operated fully. They were all moved upstairs to a small unit, where the eldest was stripped and investigated internally, in front of another family whose child was lying in a nearby bed and a group of medical students.

“It was horrible, degrading — especially for him,” she says. “The father of the sick child came over to me to express his disgust at what they had just witnessed.”

An x-ray was taken of the baby's head and they were informed that his skull was fractured. This was later contradicted by another staff member, but social services instituted care proceedings on the basis that there was a skull fracture caused by force.

A month later, on October 30, an application was made to put their children into care. In court it was decided to proceed with the immediate removal of the boys. The couple were given half an hour to say goodbye.

“It was one of those days that will always live in my memory,” says Jacque. “The expressions on my boys' faces, particularly the oldest — they hauled them out in hysterics.

“We got in the car and I was violently ill. We couldn't go back to the house. We went to a neighbour and talked for hours. Eventually, we came home in the early hours, but we didn't sleep. In fact, we didn't really sleep for a year.”

Forced adoptions are a hugely emotive issue. On the one side child experts, local authorities and social workers point to the need to “act in the best interests of the child”, as stated in the Children Act 1989. On the other, parents and campaigners — including former Liberal Democrat MP John Hemming — maintain a scandal has unfolded prompted by targets and financial incentives.

As of March 31 this year, 69,540 children were in the care of local authorities and 5,330 children were adopted from care in the previous year. The Department for Education, which collates the figures, says it does not record the number of those that are contested, but estimates run to several hundred — some suggest a thousand — each year.

Sarah Phillimore, a barrister at St John's Chambers in Bristol, and a specialist in family law who set up the Child Protection Resource website, has spent two years researching the child protection system. “I haven't found any evidence to suggest that there is corruption or a conspiracy to steal babies from sound families,” she says. “However, the system does not work properly. The Cox case highlighted the situation. In the past the reaction has been to say we have to keep things private because of the child, and I'm not sure we can afford to do that any more.

“The fundamental problem is there's not enough money and no will, and good families are losing children. Child protection has moved away from the principle of supporting families into a child rescue scenario. By continuing to use the site, you agree to the use of cookies. You can change this and find out more by following [this link](#).

In the case of the Courtnage family, at the same time care proceedings were happening the police conducted an investigation but decided there was no case to answer. Meanwhile, they were allowed limited supervised access to the children and were subjected to investigation by social services.

“We were put under a microscope,” Jacque says. “Everything about us was documented — what we wore, our mannerisms, our expressions. Our relationship was scrutinised. Nothing was private anymore.”

The hardest thing, she says, was the weekly visit to see the children, which took place in small rooms at contact centres with social services staff, present taking notes. “Every time was traumatic. We were told expressly not to tell them what was happening. We tried to be as natural as possible, but when it’s time to leave they would start crying. And you can’t get upset, or that would be too much for them. We got into a habit of not coming home. We’d drive in silence to try and work through what had happened.”

When the case was originally presented to the family law court, it decided on the balance of probability there might have been fractures and that the child was at risk, despite a follow-up x-ray taken in Royal Derby Hospital revealing no fracture (this was not examined as evidence).

Over the course of four unsuccessful appeals, the Courtnages sought to question the veracity of the evidence. “I wanted to know how he could have a skull fracture,” Jacque says. “I asked for a second opinion because I couldn’t understand it. What we didn’t know was there was a second report which later came out, post fact-finding, that said my son had a fissure. Following the investigation, no one gave me access to my children’s records. I was told I couldn’t have them.”

Her MP John Hemming alleged in Parliament that her then solicitors colluded with Derbyshire county council to keep this evidence from the parents. The council and the solicitors strongly denied the allegation. The council insisted that the issue as to whether the child had a fissure or fracture was fully brought before the court and the decision taken by the court was the right one.

In 2013, the Local Government Ombudsman and the Information Commissioner’s Office found that the local authority had withheld information. When Jacque was finally able to access the records she sought, expert medical advice revealed a family abnormality. Over the years she had suffered severe bone problems, including a broken back. Tests in 2014 led to the diagnosis of Ehlers-Danlos Syndrome (EDS), a rare genetic condition that affects the connective tissue supporting bones and tendons.

Armed with this new evidence, the Courtnages hope to mount another appeal, although their solicitor, William Bache, says that “it’s almost impossible to appeal an adoption order”.

The current system has been shaped by two key events. The first, the Adoption and Children Act 2002, was spurred by Tony Blair’s crusade to speed up adoption after the 2000 Waterhouse report, which noted that fewer children were being adopted and more were spending longer in care.

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Second, there were the shock waves from the fallout of the Baby P case, which created an atmosphere of fear within medical authorities and among social workers after the case hit the headlines in November 2008.

Exacerbating the problem is that, according to the Children and Families Act 2014, a child cannot usually be involved in care proceedings lasting longer than 26 weeks. In complex medical cases, evidence that would take months to be laid out in a criminal court is rushed through. Budgets allow only for a single medical expert to give evidence in any defined field, such as paediatrics or radiology.

Because of the need to maintain the child's anonymity, family court hearings are conducted in secrecy. Jacque Courtnage was subject to injunctions obtained by her local authority to stop her talking to media until Hemming used parliamentary privilege to name her. The injunctions have since lapsed.

Lucy Allan, the Conservative MP for Telford, has also been vocal about enforced adoption. In 2011 she went to see her GP during a period of mild depression and found herself referred to social services because she might represent a danger to her son. She paid £10,000 in legal fees to fight her case and says she is determined to use her platform "to raise cases of injustice".

There was little to be gained from representations to the Department for Education, she stated in an email — "I suspect they do realise the failings of the system but will never admit it" — but saw hope in the fact that the secretary of state for health, Jeremy Hunt, had raised his concerns on the subject to her. "I am encouraged that an increasing number of MPs understand what is happening," she added. "Every MP has had heart-rending casework in their mailbag."

Jacque Courtnage maintains that she will not give up the fight to get her children back, despite the impact it has inflicted on her family's life. Her accountancy business collapsed, and both she and her husband have been diagnosed with post-traumatic stress disorder. "I contemplated suicide because there's nothing there for you," she whispers. "We both tried to get help, but as soon as they hear the phrase 'child protection proceedings' people don't want to know."

She now helps others as an adviser with TaKenUK, which campaigns against forced adoption. "I'm currently dealing with a family who are under a supervisory order. They rang me in panic, worried the child had broken its arm. They were terrified that's all it would take to lose the child."

The Courtnages meanwhile, cannot move on. "It's difficult to live here," Jacque says. "The house holds a lot of memories. I can still see messy fingerprints of theirs in places, but I won't remove them and I won't move because my children know where I live. Everything's exactly as it was when they left. I believe they will find us — they have good memories of us."

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