



Witness statement of Jessica Morris

I, Jessica Morris,¹ say as follows:

1 I make this statement on the basis of my own knowledge, save where otherwise stated. Where I make statements based on information provided by others, I believe such information to be true.

Background

2 From a young age I was brought up, with my sister, by a foster family; our grandparents. I had a really beautiful upbringing; my grandparents were amazing. I had never experienced family violence during my childhood.

3 I am currently working as a receptionist for a financial company. I also work as a waitress on weekends.

My relationship with Sam

4 Sam and I got together in about February of 2014. We had been in a relationship for about seven months before the incident occurred which led to the police getting involved, and to me leaving the relationship.

5 Our relationship had been OK for a while, but slowly it started to become violent. I wasn't living with Sam but I was with him nearly every night, at his parents' house. When he got kicked out at one stage and was living with some friends, I stayed with him there too.

6 Looking back now, the first signs of his violent behaviour were violence towards himself. He would get really angry but then be able to calm himself down. Slowly, he started to turn his anger onto me and blame me for things and that's when the violence towards me started.

7 Sam was verbally violent in the beginning but then became physically violent. There were probably six or seven times when he was physically violent towards me, over about four months.

8 He used to self-harm, and tell me that I could never leave him or he would kill himself. Once, he cut his leg in front of me to show me what he would do if I left him. He tried to hang himself once when I drove off on him. Another time, he actually had a gun and put it to his head.

9 One of the first times he was physically violent, he locked me in the shed and threw sawdust at me. The sawdust had a nail in it which hit me in the eye and left my eye bruised.

10 Another time, the day after my birthday, I left him and said the relationship was over. He called me and said he was about to commit suicide. I called the police and they came to my house. I explained what had happened and I said, "I can't deal with it." I

¹ The name and other details of the witness (and others) referred to in this statement have been changed to protect her identity and to comply with the Royal Commission into Family Violence Restricted Publication Order dated 3 August 2015.

didn't tell the police I had ended it because of violence, I just said he was out there, suicidal. The police didn't really ask questions about our relationship. They tried to ask one or two questions, but they didn't press me at all. I didn't want to tell them about the violence at that time anyway; I wasn't concerned about the violence then, I was more worried about Sam. At the time, I believed that he really would kill himself, and that it would be my fault because I made him feel that low.

- 11 I tried to call the police on another occasion. Sam was really angry with me and I was scared of him. We were at my foster parents' house, but no one was home. He had taken my car, my phone and everything else. I ran and hid and called the police on the home phone, but he found me on the phone before I was able to get through. He threw me down in the living room, and was punching me and hitting me. He threatened to kill my family.
- 12 I didn't try to call the police again after that. He was violent again towards me a couple more times before the incident where the police intervened.

The incident that led to police intervention

- 13 In September of last year, Sam had picked me up from work in his car. It was about 9:00 pm when he picked me up. He locked the doors and assaulted me in his car. It went for a few hours. This time felt very different to previous times. Before, there had always been remorse and he would realise what he was doing and stop and apologise. This time, it felt really dark. I honestly didn't know if I would get out alive. The abuse was constant, it wouldn't end.
- 14 We were driving around an industrial area with lots of factories so there was no one around. I couldn't get out of the car. I said to myself, 'Once we see the main road, I will scream for help.' It was about 11 o'clock at night by this time. We got close to the main road. Sam had pinned me down but I kicked out the windscreen and screamed my lungs out. A lady who was driving past heard me. I found out later she was only a week off giving birth. I jumped out of the car. She drove her car towards me and I just ran into her car, she put me in it and we drove away.
- 15 Sam latched on to the side of the car and tried to pull me out. The lady was freaking out. She couldn't call the police because she was driving, but someone else saw what was happening, pulled over and called the police.

Police response

- 16 The police arrived at the scene. They put Sam in the police car and they took me down to the police station. One of the police officers was driving me back to the station. He was lovely. He was saying to me during the drive, 'You don't have to make a statement, you don't have to do anything, but you have to realise that it's not OK.'
- 17 When I arrived at the police station, they left me with a female police officer and I told her what happened and she took a statement from me. I didn't want to sign it, to make it official. Ben, the constable who ended up taking on the case, then came in. I didn't like Ben at first. He really wanted me to sign my statement to help him to lay charges against Sam. Looking back, I realise now he had my best interests at heart.
- 18 Ben talked to me about intervention orders and what that meant. I decided I wanted to make an application for an intervention order but that I didn't want to make a statement. I loved Sam and I didn't want to get him in trouble. I didn't want to feel guilty. I thought it would be my fault if he was in gaol.

- 19 The police were really good. They didn't pressure me, but they did talk about why they thought it was important for me to make a statement. Ben said things to me like, 'It's not fair, it's not right. You shouldn't have to deal with this, he shouldn't get away with this.' They tried to make me understand that this behaviour was not real love. They asked me to read my statement out loud. After I read it, they said, 'Do you think this is OK?' I knew it wasn't OK.
- 20 They also told me that they knew about another girl who had been abused by Sam. I didn't know about this previous girl. I knew she was an ex-girlfriend of Sam's, and I remember asking his mum what happened between them. His mum lied to me about it, and Sam would always lie to me about it too. I realised she had gone to the police for family violence too.
- 21 Finding out that someone else had been through what I had been through made a big difference to me. It really made me think about the fact that, if I didn't do something, another girl might have to go through the same thing.
- 22 I decided I would sign my statement.
- 23 Up until the time the police got involved, I hadn't told anyone in my family how Sam was treating me. I think I was ashamed. I also didn't know myself what was even happening; I was numb, I was in survival mode. I didn't think it was his fault and I was always trying to help him through stuff. I knew that if my family found out, they would think badly of him and I didn't want that.

The impact of the police response

- 24 If someone hadn't pulled over and involved the police, Sam might have eventually stopped and apologised and begged me for forgiveness. If he had, I would have forgiven him. You just want the violence to stop, your head is numb, you can't even think.
- 25 Looking back, that day in the station, if the police had not encouraged me to make a statement, I think I would have stayed in the relationship and, honestly, I think I would have died in that relationship. That's where it was headed. I am so grateful that the police encouraged me to make that statement, and took the time to help me understand that what Sam was doing was not right and that I didn't deserve it.
- 26 A big part of what the police did was make me feel like I had the power to stand up for myself and that I didn't have to put up with what had been happening. They helped me realise that it wasn't up to me to take care of Sam or protect him, that justice should take its course and that they wanted to help me by charging him.
- 27 Their support was amazing. I can imagine that they would speak to so many women, go to so many women's houses and tell those women to take a stand.
- 28 I feel really positive about my experience with the police. They have taken the whole journey with me, they didn't just take the statement and leave me to deal with the aftermath. I still email Ben, the constable who was there on that awful night.
- 29 He worked really hard on my case. He asked my sister and my aunty to come down to the station and give witness statements. He got me to write a victim impact statement. He was the one who told me about the work the Royal Commission was doing. He emailed me the details of the Royal Commission's community consultations and said I should go. I emailed him afterwards to thank him for his support. He

emailed me back saying, 'You should be proud of yourself.' He has supported me through everything.

Intervention order and criminal proceedings

- 30 After the incident, the police charged Sam with various offences, including false imprisonment. I think Sam went straight to gaol for a month because his lawyer said not to apply for bail. While he was in gaol, the police applied for an intervention order (IVO) on my behalf. I went to court when we applied for the IVO and I saw him on the video screen, from gaol. The application was successful and the IVO said he couldn't come near me at all.
- 31 He got out on bail after a month, but had to stick to some conditions, including to do a rehabilitation program. He went to rehab, then moved to a place in St Kilda. He had some drug and alcohol issues, although he never told me about them and I didn't really realise at the time. I still don't know what he was into. His mum had her suspicions as well and she would try to talk to me about it. There was definitely ice involved. I think his drug use did add to the violence and there was a definite cycle in his behaviour. However, at the same time, he made his own decision to be violent.
- 32 Before the IVO had been put into place he sent me a note through his mum. However, after he got out on bail, he obeyed the IVO.
- 33 He pleaded guilty to the criminal charges and was sentenced a couple of weeks ago. I didn't have to give evidence but I went to the hearing and I saw him in person for the first time since the incident. I read my victim impact statement aloud in court.
- 34 He was sentenced to six months in gaol. He has appealed that sentence, so I am waiting to see what the final outcome is. The case is going from the Magistrates' Court to the County Court. The case will be heard in September 2015, exactly a year since the incident that night. I am not focussing on the outcome of the appeal though. He can't control me anymore.
- 35 The IVO will be in place until October. At that point, I will consider whether I need to extend it or not. I think that by that time, he will either have learned or, unfortunately, he will be on to his next victim.
- 36 At some stages during the process, after the charges had been laid, I changed my mind about wanting the charges to proceed. I saw the whole process ahead of me and I didn't want to go through it. I felt like it was my fault and I was still wanting to help Sam. The police played a role in that shift in my decision making. I would talk to Ben about my concerns, and say I was worried about Sam, and Ben would say, 'He will get what he needs, it is not up to you to look after him.' I feel glad now that Ben encouraged me.
- 37 When I went to court for the sentencing hearing Ben drove me in and sat next to me in court. He will be with me at the next court case in September. He really did support me through the whole process.

Reflecting on the court process

- 38 It's hard leaving the relationship. What's even harder is making a statement and going through a long court process. I am unsure how other court cases have gone, but mine has been a long process where he has played victim to the courts, including making excuses based on his drug use and unstable upbringing. Why would any women want to go through that? She wants to leave the violent relationship, but it doesn't end; she

has to remain linked to him through a long court process and watch him plead victim. At the end of it, he eventually gets off with a light sentence. She has suffered for a long time and to an extent she is not taken seriously. What message does that send to the offenders? How is that encouraging the victim to speak up?

Events after the police response

- 39 The police linked me into WAYSS Domestic Violence Outreach Program (WAYSS) straight away. I went there with my aunty. That was the first time I realised I had been in a domestic violent relationship.
- 40 The worker from WAYSS had a questionnaire which had a series of questions about our relationship, with healthy and unhealthy factors set out in two columns. All of my answers were factors that appeared in the unhealthy column.
- 41 After completing the questionnaire, the worker said I was in a domestic violent relationship. She said that in seven years of working, she had never seen a relationship become so violent so quickly. Sam and I had only been together for seven months. The worker said that if I had stayed in the relationship, I would have died. That's when it really sunk in.
- 42 From there, the worker referred me to Windermere, where I started to see a counsellor. That has been amazing. I have learnt so much about family violence and relationships. It's incredible.
- 43 My counsellor has been one of the most important supports I have had throughout this whole process. She is amazing. I now see things from a completely different perspective. I am on the lookout now, too. Next time I am in a relationship, I will be able to recognise the signs of domestic violence and I won't let myself get stuck in that sort of position again. I now see other women and I know when they are in a relationship of domestic violence, I can tell from body language and other signs. The way these men work is very calculated. They don't beat you in public but in private. I made excuses for Sam and I believed him when he told me that it was my actions that led him to do this. Over time, with the manipulation and control, you believe this. My counsellor pointed out that Sam knew what he was doing and that he made the conscious decision to beat me behind closed doors.
- 44 After the incident happened, Sam's mum said to me, 'I've been there too, it's fine, you'll get through it.' That makes me so angry now. She didn't take a stand when it was happening to her and then she let her son do it to me. She is enabling this to continue. He obviously saw this kind of violence in his own childhood and understood that it was OK or that it was love, or something. Sam's mother now hides it for him and is letting him hide it. If he could bring it to the surface and understand that what he did was wrong and that he can change, he would be able to change.
- 45 I also understand that, regardless of his childhood, or the drugs, behaving in this way is a choice that he makes. He is his own person and can make his own choices.

Victim versus survivor

- 46 I don't like the label of 'victim'. Throughout the whole process I was referred to as a victim—'victim's assistance', a 'victim impact statement'. Once a woman leaves that relationship, it should be about survival. I was a victim, and I can label myself as that, but I am not a victim anymore. I am now a survivor.

- 47 I think the language we use is important, and I think people should be really conscious of how they label people who have experienced domestic violence.

Message to other women

- 48 My message to other women in this situation is that you do not deserve that kind of treatment. Women are so loving and nurturing and it's in our nature to put up with this kind of behaviour. But no one deserves it, and it's not OK at all. They say the worst part is leaving the relationship, and I think that's right.
- 49 You need to realise that you deserve real love, a relationship where you aren't in fear, where you are free to live your life. That's true love.
- 50 It is not going to be easy when you leave that relationship; but it will get easier. If you reach out for help, the help will be there.

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