

From: [REDACTED]
To: Enquiries
Subject: Submission to enquiry
Date: [REDACTED]
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 SubmissionsCoverSheet [REDACTED]

I wish to provide information relating to significant flaws in the Family Law process when dealing with divorce of women who have been in a sexually violent relationship and their ability to protect themselves and their children.

First of all, I spent almost \$150k in the legal system to protect my children – and the system failed.

I had to withdraw at the last minute as I was advised that if I continued, I may lose my children. This was on the basis that I had PTSD – a condition caused by enduring [REDACTED] years of sexual assault and rape in my marriage.

During this time, my husband displayed warning indicators that he may not have the correct boundaries to take care of the children without my supervision. Additionally, I was advised by my husband's psychologist not to let my husband have the children, so I fought all I could. Some of the indicators were:

1. Smashing down my bedroom door to get to me in front of my children – where my [REDACTED] year old girl stood between him and the door asking him to stop
2. Talking about sex in front of the children (stating it was normal –however his boundaries were skewed)
3. Continuously watching pornography where the children could easily walk in
4. Holding me down in front of my daughter to kiss me, and calling me names when I tried to get him to stop
5. Forensic Report stating that if I was telling the truth, that he was a "psychopathic narcissist with a sexual disorder (NOS) – Not otherwise specified
6. Psychology reports that disclosed my long-standing issues with sexual assault and his reports going to get treatment for controlling and obsessive behaviour, most notably about pornography and sex
7. On record with [REDACTED] that my husband had been committing crimes against me for many years, and that he didn't feel happy or sad, just alive or not alive. And he feels alive when he abuses me.

Despite having this evidence, I could not continue in front of the Family Court. I was running out of available money and was scared I would lose my children.

Since this time, my now ex-husband is being investigated [REDACTED] We are advised that it is likely he will be charged this month.

My children are STILL going to see him on weekends, and DHS seem to act slowly. They asked him to sign an undertaking, which he has broken, and still DHS has done nothing.

The changes that I seek are as follows:

1. When there is sexual criminal activity, spouses should not be injected into the Family Court system until such time as they are well and capable
2. I was advised that what my husband did to me does not reflect on his capacity as a father, this needs to change, as it DOES
3. [REDACTED] would not release our file even though they had evidence that my husband committed crimes against me. I took them to Federal Court and still lost. They said they would only release it if they felt he was a threat to his children. But isn't [REDACTED] a threat? What should they say about that now? This is such a failure to me and my children. They stated that they only release such information for children of if people could not protect themselves. I could NOT protect myself. I was medicated, diagnosed with PTSD – I didn't even understand what rape was in the context of marriage. I deserved a greater duty of care by this institution.
4. The refusal of [REDACTED] to release information was pivotal in my ex-husband not being charged, leaving me without a voice. Their process protected the guilty at the sacrifice of the victim.
5. Now that another allegation that WILL lead to a charge has taken place (particularly as it's against a minor), [REDACTED] should be forced to release the file
6. [REDACTED] (CEO) agrees that the system failed me, and advised I write to you to make a change. I do believe they would support improvements to the process

To be a 'victim' of such extreme and be 'forced' to spend \$150k to protect my children is abhorrent. For the system to deem my ex-husband as not a threat to children is a travesty. For [REDACTED] to protect the guilty is unjust. To deny me rights to my own evidence is a disgrace. For DHS to be passive is a shame.

I would encourage you to contact me to get full disclosure of the inconsistencies and inadequacies of the system to protect future women of violence and their children.

[REDACTED]

[REDACTED]

