

Royal Commission into Family Violence
PO Box 535,
Flinders Lane,
Victoria, 8009

29th of May, 2015

To Whom It May Concern:

My name is [REDACTED] and, as a survivor of severe Domestic Violence, I am writing to you in order to make a submission to the Royal Commission into Family Violence.

To begin with, I would like to give you a brief background history as it will help me to explain why it is that I am suggesting the things that I am. (Please note that although this particular relationship was a very long time ago, the information that I am going to give is very relevant today).

My first Domestic Violent Relationship started many years ago in [REDACTED]. I was only [REDACTED] years of age and my partner, [REDACTED], was [REDACTED] years older than me at [REDACTED] years of age.

Like most violent partners, [REDACTED] was very charming to begin with and there was absolutely no indication of his darker side.

What then started as several insecure comments, however, soon turned into absolute outrage (on [REDACTED] part), where by he subjected me to severe physical assaults as well as verbal, emotional and psychological abuse.

The abuse and mind games were so bad that I attempted suicide. I was rushed to [REDACTED] Hospital for treatment. One of the head nurses at the hospital treated me very badly. She told the other staff members to stick needles into me where ever they would hurt the most. After I tried to confide in hospital staff about the ongoing abuse which led to my suicide attempt [REDACTED] turned up at the hospital. The head nurse growled at me, in front of [REDACTED], "Why would you want to see him? According to you, he is the reason you did this in the first place!" In doing this, [REDACTED] was made aware that I had spoken out about the abuse and therefore the abuse got worse.

I tried to explain the abuse to my Mother, but this only resulted in her confronting [REDACTED] about it, which, of course, he denied. [REDACTED] went out of his way to convince others that I was a trouble making attention seeker who was making things up about him in order to gain attention. Meanwhile, his abuse of me worsened every time he found out that I had tried to seek help.

Whilst I was still [REDACTED] years of age, [REDACTED] emotionally blackmailed me into falling pregnant with his child. He used violence and threats to pressure me into getting pregnant against my will. I was [REDACTED] years and [REDACTED] month old when I fell pregnant. [REDACTED] was almost [REDACTED] years old.

When I was pregnant, the violence continued. I had stopped talking about it to others, as I could not trust anyone to help me. I felt very trapped and alone.

My Parents had tried to gain Police assistance in dealing with [REDACTED], but the Police just sent them away. Not knowing where else to turn, my Parents ordered me to move in with [REDACTED] instead. They said they could not handle the emotional rollercoaster of my abusive relationship. I moved into a one-bedroom apartment with [REDACTED] when I was still only [REDACTED] years of age.

[REDACTED] kept me imprisoned in the apartment while he went out, whether he was at work or visiting friends. He locked the security door so that I could not leave. If [REDACTED] friends or family visited, he would make me lay under the covers in bed and face the wall so that nobody could see me or the bruises I had.

One day when [REDACTED] was assaulting me, I managed to escape the apartment and run down the main street of [REDACTED]. I found a Policeman down there and told him about [REDACTED] assaults. The Policeman told me to just go home to my Parents.

I had no money and had been isolated from my family and friends. So, I ended up returning to the apartment once again.

One day, I found a safe opportunity to confide in a Doctor. The Doctor told me that the abuse that I was enduring could end up killing me, leaving me in a wheelchair or, at the very least, could cause me to have a miscarriage. What the Doctor said to me, in regards to the abuse being harmful to my baby, helped me to leave once and for all. (The Doctor did not, however, record my conversation with her on my Medical File, which is a point that I shall bring up towards the end of this letter).

Once I finally found the courage to leave [REDACTED], I attended [REDACTED] Police Station once and spoke to a Policewoman there. I told her about the months of violence that [REDACTED] had put me through. I was very frightened to be talking about the abuse, due to my previous experiences, and I expected the Policewoman to take me into an interview room so that I could speak more freely. Instead, I was told that the severe Domestic Violence that I had endured was merely a "Civil Matter" and was refused Police assistance. Being so young and so very traumatized, I did not have the ability to stand my ground and dispute what I was being told. I remember thinking "If a stranger assaulted me in the street, Police would act...but when a partner assaults me on multiple occasions, that is a Civil Matter? What a stupid Law that is!"

Thankfully for me, [REDACTED] Mother helped him to leave Australia before our Son was born in order to avoid Child Support and possible Statutory Rape Charges once paternity could be proven. This is not the end of the story, however.

[REDACTED] returned to Australia in late [REDACTED], after being convicted in [REDACTED] for 'actual bodily harm' against a woman that he had married over there.

Since being back in Australia, [REDACTED] has abused a number of different women – all were in relationships with him at the time of the assaults.

Some of the women that [REDACTED] has abused were turned away by Police when they sought assistance, others were too scared to seek Police assistance and a few managed to obtain Police assistance but were let down by the Court process.

The first case against [REDACTED] to have reached Court resulted in a mere Good Behaviour Bond and a Fine. This may have been due to the fact that Victoria Police did not do an International search (InterPol) to find out about his [REDACTED] conviction and therefore the Court believed that [REDACTED] had no priors.

The second case against [REDACTED] to reach Court resulted in a short prison sentence. By this time, I had assisted Police in locating the [REDACTED] conviction details and it was therefore used in Court as a prior conviction. [REDACTED] immediately appealed this sentence and was released on Bail immediately. This was despite the fact that Police were well aware that [REDACTED] had another new victim who Police were also involved with.

Whilst out on Bail, [REDACTED] continued assaulting his new victim. [REDACTED] was supposed to be living at his Mother's house in [REDACTED] whilst he was out on Bail, but he was not living there at all. [REDACTED] was living with his new victim in [REDACTED] and the local Police in that area knew all about [REDACTED] and his abuse of the new victim. Despite this, Police did not attempt to revoke [REDACTED] Bail, even though he testified in Court that he was living in [REDACTED] and not at the [REDACTED] address.

[REDACTED] Mother (who is now an employee of [REDACTED], working as a [REDACTED] [REDACTED]) continued to lie for [REDACTED], telling [REDACTED] Police that [REDACTED] was residing in her home in accordance with his Bail Conditions.

[REDACTED] Police were advised of [REDACTED] living arrangements and yet they refused to act on [REDACTED] breach of Bail. As a result, [REDACTED] was allowed to continue his reign of terror upon women.

When [REDACTED] had managed to gain a number of new Domestic Violence charges against him, he decided to drop his Appeal and serve his time instead.

Once he got out, he still had the third case deal with.

[REDACTED] was sentenced to 40 months in Prison for the third case but, once again, he appealed the sentence and was released on Bail.

Whilst on Bail, [REDACTED] started using a fake name so that any future victims could not report him to Police.

I, personally, contacted the DPP and offered to testify at [REDACTED] Appeal for the third case. I explained to the DPP that I had been made aware that [REDACTED] was appealing the sentence due to his claim that his violence against women was a direct result of PTSD (Post Traumatic Stress Disorder) from his time in the [REDACTED] Army and that this had not been taken into consideration when he was sentenced. I further explained to the DPP that I was [REDACTED] first known victim of domestic violence and that I was willing to testify at the Appeal to state that he was extremely violent before he had ever joined the

█████ Army. This testimony would have proven █████ claims to be false as he joined the █████ Army after our relationship had ended and he had fled Australia. To my absolute dismay, the DPP told me that they would not be needing my testimony.

I attended the Appeal anyway, in case the DPP changed their mind, and I was in the Courtroom to witness all that transpired.

█████ Defense Team had organized for █████ to meet with a Psychiatrist for only one 1 hour appointment. By the end of that one 1 hour appointment, █████ had convinced the Psychiatrist that he was suffering from PTSD from his time in the Army and that it was the cause for his violence against women. Darran failed to tell this Psychiatrist that he was violent during our relationship, which preceded his joining the Army, because it did not suit his cause to do so.

I sat in the Court and listened to this Psychiatrist claim that in order to change his PTSD from the Army diagnosis, he would have to speak to one of █████ victims who had been in a relationship with █████ prior to him joining the Army. I was sat there, willing and able, but the DPP had silenced me.

As a result, █████ prison sentence for the third case was reduced from 40 months to 30 months.

Due to time limitations, I have had to keep this version of events to a bare minimum, so although this is a very brief outline of what has transpired, I sincerely hope that you can see the issues involved in all of this.

The issues that come to mind for me are as follows:-

- Police not only refused to assist me when I went to them in █████ they also failed to take an official Statement in regards to the abuse. This failure to take a Statement not only intensified my grief and trauma, stunted my recovery and thwarted my chance of gaining some Justice for myself, but has also assisted █████ to use false diagnosis and claims in order to benefit himself in all future cases against him.
- Due to the risks that I encountered when seeking help from Family and the Hospital, by way of their reaction in confronting my abuser and making my situation worse...I believe that there needs to be a safe avenue to report and keep note of all incidents that take place before a victim finds the ability to leave the violent relationship. I believe that a website with a secure online form for victims to fill out is an idea worth thinking about. This way, a victim of Domestic Violence can write down what is happening to them so that it is documented and stored for when they are ready to leave and take possible Police action. The submissions could serve as diary entries of the abuse without there being any risk of the entries being found by the abuser, who could then destroy them and abuse the victim further. Victims are very unlikely to go to Police until they are certain that they are ready to leave and, by then, may have forgotten a lot of the finer dates and details. An online record of Statements could help to serve as evidence.

- Medical Staff (such as Doctors, Nurses, etc) should record all allegations of Domestic Violence so that there is a trail of evidence if the victim ever decides to leave and seek Police assistance. In many, if not most, instances of Domestic Violence, the victim is left isolated and unable scared to speak up. This means that by the time the victim does finally speak up about the abuse that they have been made to endure, they are doing so at the end of their relationship, which leaves them open to the allegation that they are only making it up now to seek revenge or to win in custody battles. Victims of Domestic Violence need as much proof, that there was indeed a history of violence, as possible.
- I would like all Police to be directed to take Statements from victims of Domestic Violence whenever the victims present themselves to Police. If, after reading the Statement, Police believe that there is not enough evidence to proceed, the Statement should be kept on file anyway and be attached to the alleged perpetrator's name. If, at any time in the future, that victim returns or a new victim emerges, the older Statements are still there for investigating officers to refer to. Sometimes, it may just be that where a single victim may not be able to proceed through Court alone, joining their Statements up with any and all future victims may, in fact, lead to a joint case and successful conviction.
- Police should always submit an InterPol search on a perpetrator, especially when they know that the perpetrator has lived overseas at any time, in order to see if there are any prior charges and convictions for the same crime elsewhere.
- Different Police Stations need to be in contact with one another and have better lines of communication. If a perpetrator is out on Bail under the supervision of [REDACTED] Police, then they should be made aware by, let's say, [REDACTED] Police if the perpetrator is up on new charges and is breaching their Bail Conditions. As it is currently, the left hand does not know what the right hand is doing when it comes to different Police Stations, even if they are dealing with a common perpetrator.
- Psychologists, Psychiatrists or any other "specialists" that are brought in by the perpetrator's lawyers should be made to sit down with the victim of the case (or even previous victims, if necessary), in order to get a clear picture of the perpetrator that they are assessing, rather than just going by whatever it is that the perpetrator is saying. It is all too common for perpetrators to lie to these "specialists" in order to gain the diagnosis that they are wanting and needing for their Court Case. Unfortunately, this has been working for them for a very long time and it needs to stop. The victims are continuously victimized by the Court process, whilst their abusers make a complete circus out of the proceedings.
- Victims of Domestic Violence should not have to face their abuser in Court at any stage, nor for any reason. Alternative arrangements must be made for victims to give evidence to the Court, so that their abuser does not have the opportunity to know their movements at any time. The murder of Fiona Warzywoda (in Sunshine, Victoria), after her Intervention Order Hearing is a prime example of why this is not safe for the victim.
- The DPP must do more to prepare for their cases. If they are overloaded and don't have time to prepare fully, then there needs to be more Prosecutors brought in to share the workload. I have seen Prosecutors who clearly do not know their case, who have forgotten the Brief and therefore needed an adjournment, or who refused a willing

and able witness who could have helped win their case and therefore lost the case instead.

- A full list of prior victims (whether convicted in a Court or not) should be attached to the relevant perpetrator's Police file as possible witnesses to all future Court Cases against that perpetrator.
- Police need to be better trained and be accountable for any refusal to act.
- Victims should have access to Crimes Compensation and as much counseling as is necessary in order to get on with their lives.
- Family Court Lawyers need to stop telling their clients that they do not want to mention Domestic Violence in their Court Papers because it "muddies the waters", etc... Judges MUST know where there has been domestic violence and victims must have access to support.
- The Australian Government needs to stop supporting White Ribbon as the main Domestic Violence organization, unless White Ribbon stops making their organization about men only. Female survivors of Domestic Violence must be encouraged to speak up and must be listened to. I believed that White Ribbon sends a message that only men can do something about this epidemic and that is simply not true nor healthy. As a survivor of Domestic Violence, I am offended by White Ribbon.

I am certain that I could come up with a lot more in regards to what is needed to move forward, but I am unfortunately out of time.

I did not see much by way of advertising this Royal Commission and by the time I looked into it, I found that it was the day before submissions closed.

I hope that you find something useful in what I have to say and I sincerely hope that some positive changes come out of this.

Kind regards;

