

## MY STORY

I had been in an abusive relationship for ten years, during this time there was physical abuse, where I obtained scars for life. Emotional and psychological abuse, financial abuse and social abuse. I have [REDACTED] young children with this ex partner. After [REDACTED] months has come back into my children's lives, through several court appearances. During the time the father has been back in our children's lives, he has spoken very badly about me in front of and to our children. He has told them he wants me dead and buried forever and explained to our children how he would do this by draining all my blood out with a knife.

Very recently he has abused our eldest child leaving bruise on his little body. He has previously admitted to abusing the same child last year prior to our final separation.

I reported the physical and emotional abuse to Child Protection Services and I took my son down to the local police station where my son was interviewed by the Socit team and I also filled a statement.

Since the father has been back in our children's lives they beg me not to go there, have commenced bed wetting which has never been a issue ever, started having night terrors are very emotional, scared and confused. My son constantly tells me that his father hates me, wants me gone (dead) and wants to ruin my life. Has been teaching our son to be mean and horrible to me (eg) placing his hand up to my face when I am speaking, covering his ears when I am speaking, telling him he wants my son to break my heart x100 and to play up by yelling and screaming at me.

My son is only [REDACTED] years old and I have got him into a child psychologist to try to deal with all this emotional trauma.

The father sees our children [REDACTED] days per week with no over night visits during this time he does not take good care of our children, has never put their needs first is a very selfish, controlling, narcissist and is a compulsive liar. When the children are returned to me they are always very hungry, tired moody and 8/10 times returned wet even though I put spare clothes in the bag every week.

During all court appearances the father continues to lie in all affidavits, or denies all allegations. Not once has he been questioned as why he has conflicting affidavits at court appearances.

On the [REDACTED] my childhood best friend took her own life. She was [REDACTED] years old with a [REDACTED] year old daughter. She was also in an abusive relationship for around [REDACTED] years. He controlled everything she did, monitored every move she made. She has promised me back in [REDACTED] that she would never do this to me as in [REDACTED] I lost my high school best friend also took her own life being just [REDACTED] years old. This has been one of the hardest years of my life. I can now sort of understand why people decide to take their lives, as when everything gets on top of them it is very hard to see a way out, where they can be happy.

I am [REDACTED] years old I have been through [REDACTED] cancer as well as many other surgeries, been in two physical abusive relationships, lost two best friends and have [REDACTED] beautiful children to a narcissist controlling abusive man. I still cant see the light at the end of the tunnel. BUT I WILL NEVER GIVE UP FIGHTING NO MATTER HOW MANY BRICK WALLS I HIT AND THERE HAS BEEN PLENTY. I CHOOSE TO LIVE.

## HOW I FELT WITH CHILD PROTECTION

I feel like my case was pushed under the rug, the male case worker made it very clear that my ex partner had not done any thing wrong and that the children were safe to go there. It was very clear that the case worker was protecting the father (perpetrator) as the father once again denied all allegations in which child protection just believed him. The case worker also breached my privacy by informing the father personal information regarding the children and my self. I contacted the

case worker regarding this, as he informed me two days earlier that he had NOT told the father any of our personal information ( I did record this conversation on my mobile where the case worker informed me that he has not disclosed our personal information to the father) when indeed he has and he was very very rude and simply said to me well [REDACTED] you should have told the father earlier. Then rudely hung up on me.

My overall experience with Child Protection I feel that my case was not investigated at all. I also thought their role at Child Protection was to protect children. Yet I bought my case to them with back ground information clearly stating out domestic violence towards my children and my self, which was brushed off like sand on your feet.

As as soon as the father denied everything the case was immediately closed. The case worker did not help my children in ANY way or form if any thing just made the situation worse for my children. Leaving me to feel stupid for even contacting them. I feel more emotional and stressed after going through this experience in which was a complete waste of time, energy and effort.

## MY EXPERIENCES WITH LEGAL AID

When it comes to my experiences with Legal Aid Victoria. I feel that if I were a paying customer I would have actually been heard and assisted in my case as I have previously paid top dollars for a solicitor and got the help I required.

I have a part time solicitor who works three days per week. I can hardly get hold of her, the receptionist is extremely rude to me on the phone and says she is really busy [REDACTED] I will get her to call you in two days.

I tried to change the orders though my solicitor to protect my children from their father to be told by my solicitor that I do not have the funding through Legal Aid to do this. This could only be done if Child Protection Services had of intervened but they did not and the case was closed.

At one of our court hearings the barrister supplied to me did not even know my case, never took the time to read over my materiel. I only got five minutes to talk to the barrister regarding my case and I felt forced into agreeing to the time my children would spend with their father all to suit the fathers working hours leaving me with in consistent days each week making it very difficult to enable me to work as I want to work to assist my children better as the father is paying [REDACTED] per month for both children in child support. Now to find out that after two months of the father being employed he is now unemployed once again. Then being informed by my solicitor that if the father applies for Legal Aid and receives their assistance that it will be a conflict of interest when the matter goes to the Federal Circuit Court and I will not get legal representation for court leaving me to represent my self.

So not only am I stuck with in consistent days per week to suit the father who now has no job but I could loose my representation because the father is now unemployed. I think this is absolutely ridiculous. If I had the money for a lawyer I would be far better off and be able to protect my children and as their mother this is my job.

The fathers solicitor has antagonized me and sent me bullying letters to withdraw my claim of an interim intervention order using threats that I would have to pay for the legal fees. I am already a victim of domestic violence and I feel this system is re- victimising me.

(please see I have attached a copy of this letter)

## WHAT I THINK SHOULD CHANGE FOR THE BETTER

It appears to me that none of these departments appear to co-ordinate information. If these departments did co- ordinate information this would benefit people for the better.

When I was going through my situation it was Sunday [REDACTED] and I went on line to get some help. I typed in help for women in violence and this is a list below of what came up on the web page.

0393730123 Crisis help Network	DISCONNECTED
03948698669	Call between Monday and Friday
1300134130 WIRE	Closed public holidays
0393278513 Salvation Army Cross Roads	NOT CONNECTED
0394296866 Anglicare	NOT CONNECTED
1800133302 Womens legal Service	I called this number 4 times and
spent over 1.5 hours on hold, then they closed their business hours, as they do have unusual	business hours and I was disconnected and never actually got to speak to any one here.
1800015188 Safe Steps	YES the only organisation that I got
through to. Big thanks to Safe Steps.	

As you can see being a weekend or public holiday there is very little help out there for women who require help now, regardless of the time or day.

I believe this issue needs to be addressed ASAP as there are still far too many women getting killed due to domestic violence last time I checked the numbers are as high as 27 this year alone.

I think that something needs to be done with the Department Of Human Services Child Protection as my experience with them was off the chart. As they do not even know what Child Protection means.

## THE ONLY PLACE WHO HAVE HELPED ME

I am very great full for [REDACTED]. I have had close contact with this organisation since I arrived in Victoria. I was given a case worker who has been absolutely fantastic, who has assisted me through all this and during my horrible situation. My children even got close to my case worker and they feel so comfortable with her, they have even told her how they are being miss treated by their father.

I do not believe I would be where I am today if it were not for [REDACTED]. Through them I got my strength back, learnt so very much about domestic violence and all the information they provided me with, will stay with me for life. I now choose this organisation to donate to and have already done so. I could not thank them enough for being there for me and my children. I truly believe there should be more organisations out there like [REDACTED] so us women can get real help.

Your ref: [REDACTED]  
Our ref: [REDACTED]

RECEIVED

BY: [REDACTED] SF

Victoria Legal Aid  
[REDACTED]

By email [REDACTED]

Without Prejudice Save as to costs

Dear [REDACTED]

Re: [REDACTED]

We refer to your correspondence of [REDACTED] and the Family Violence Intervention Order application and Interim Order served on our client.

#### Family Violence Intervention Order Application

Our client denies all allegations contained in the Family Violence Intervention Order application where your client is the applicant and herself and the two children are listed as affected family members. We are aware that your client has presented [REDACTED] to the police station and the child has been interviewed in respect of the allegation. We have made enquiries of SOCIT as to the evidence of interview and requested the same.

We are also aware that an ex-parte Order was granted on [REDACTED] on the basis of your client's oral evidence. Accordingly we have requested the recording as it is our client's intention to contest your client's application when it returns to Court on [REDACTED]

In respect of the application as it stands, we formally request further and better particulars in respect of the allegations themselves. We seek those particulars be made available no later than [REDACTED] and sent to this office.

If your client fails to comply with the request and a formal Order for further and better needs to be sought at Directions Hearing then we reserve the right to produce this letter in respect of costs of making such application.

Given the seriousness of the allegation we are surprised that your client did not seek a suspension of the Family Law Orders under Section 90 of the Family Violence Protection Act 2008 and the Family Law Act Section 68R. Continuing to make the children available in the face of such an allegation is inconsistent with the veracity of that allegation.

DIRECTORS:  
[REDACTED]

PRACTICE MANAGER:  
[REDACTED]

It may be the case that the child is saying things, which the applicant does not necessarily believe, but are however disturbing and therefore we suggest that perhaps a referral to a child psychologist through a Mental Health Plan obtained from a GP is appropriate.

We confirm that Department of Human Services Child Protection have spoken with our client and informed him that they intend to not pursue the matter further. Given that your client accepts this finding and continues to make the children available, thereby confirming they are not at risk of Family Violence, the most appropriate course is to withdraw her application prior to the hearing of the matter on the [REDACTED]

#### **Family Law Children's Orders**

We do not agree with your suggestion that changeover should now be moved to the [REDACTED] Children's Contact Service. The [REDACTED] was originally proposed by our client but was rejected at Interim Hearing. It was determined at that time that it would better suit the parties to manage their own changeover and there was a lack of necessity, given no Family Violence, for changeover to be managed by third parties. We do not agree that because the parties have difficulty communicating it warrants the services of the [REDACTED] which may interfere with the current arrangements for time with the children as the services availability is not something that can be determined by Court Orders.

In respect of the parenting issues raised in your correspondence, we refer you again to paragraph 27 of our client's Affidavit sworn [REDACTED] where he states that he

Our client also has concerns in terms of parenting practices for the children, specifically your client's Family Violence Intervention Order application specifies that

[REDACTED]

We confirm that our client shall be available to collect the children from the mother's residence at 9.00am on Saturday [REDACTED]

Yours faithfully,

[REDACTED]