

Submission for Royal Commission into Family Violence

I left a marriage with family and domestic violence when my child was around [REDACTED] years of age.

Abuse inflicted by my ex-husband on myself and our *CHILD* included,

- Emotional abuse and manipulation
- Physical abuse (bruising and scratches were never reported because he threatened me)
- Destroying property (kicking and punching walls, furniture and appliances and then blaming us if he hurt himself.)
- Intimidating behaviour (including taking my car keys so I couldn't leave the house and had to continue enduring his attacks.)
- Name calling (fucking bitch, fucking retard, little turd, etc...
- Throwing things at us (Once a [REDACTED] that missed me, he said he'd been aiming at my head. Often throwing things at our child to knock the child over)
- Hitting our child with hard objects
- Pushing and shoving us down (through the house, up and down stairs.)
- Financial abuse (refusing the work and any money I brought in was swiftly used for his enjoyment, if there wasn't enough then I would cop it.)

When I left my husband in [REDACTED] I thought the police, courts and all the other organisation I'd heard about would be there to get support from. I was wrong.

My local court Magistrate was good, he gave me a two year protection order with our child as a named person, however, he talked me out of a no contact order.

I tried to set up supervised contact between the child and his abusive father. His father refused and went to a lawyer who set up Mediation. The first thing that was said to me by his lawyer was "If you don't agree with him then he'll take you to court."

And that is where my hell really began!

[REDACTED] of the longest years of my life, countless court Mentions in the local and [REDACTED] Magistrates Family court, Hearings, appointments with Family Report Writers, psychologists, psychiatrists, court ordered Triple P program, Mediations, Parenting Orders Programs and more. As well as our own personal appointments with psychologists to try and recover from the abuse. Constantly defending myself when I had done nothing wrong! It is beyond exhausting!

One on one time taken away from my son when he was recovering from trauma and needed me the most.

In one sense it would have been easier to stay in the abusive marriage. I felt continually bullied by the courts, lawyers and all the appointed 'professionals' that leech off the system and are expected to make decisions about what is best for the child/ren when they don't have experience in domestic and family violence and only spend a

minimal amount of time with them. One 'professional' shuffled us out of his office so quickly because it was Melbourne Cup Day and he wanted "To grab a drink and make a bet."

"Do what they/he say/s or the courts will think you're not trying to foster the relationship between the child and his father."

When I'd brought concerns to a Legal Aid Mediation previously with the same ICL, he went on a nearly five minute rant at me ending with him saying that he was going to take the case to court and recommend overnights start immediately and that supervision be lifted. This was after I'd told him about the bruising my child kept coming home with, after I gave him a report from a physiologist who the child had confided in about being scared by his father and paternal grandmother (who was also the court appointed "supervisor" for contacts) because they were hurting him, breaking his clothes and property, saying awful things about me and my family,

I was even threatened by my child's lawyer (Independent Children's Lawyer, ICL), saying outside a courtroom that he was going to recommend the Magistrate flip my child's residency if I brought concerns about his welfare to court. This was after I told him I had footage of my child being punched by his father!

Saying in court that he learned nothing from an anger management course that he was not made to finish, or the Triple P Parenting course and Parenting Orders Program should have set alarm bells off for the Magistrate. It did not.

Having said to a Magistrate that "He's my kid!" over and over you would think a Magistrate would see the control issues. However, she printed off generic orders that didn't take into account any of the evidence I took to court about the continued abuse, control issues, and high level of conflict caused by him and his devious mother.

His court affidavits and affidavits of his parents were full of lies and accusations pointed at me with no evidence of them being truth. I was made to defend myself court date after court date, email after email to my lawyers, to Magistrates while he was fed leading questions by the ICL.

My ex-husband was funded by Legal Aid for nearly the entire [REDACTED] years of courts dates and Mediations while I was made to pay, pay, pay living on a Single Parenting Payment through Centrelink and unable to find work because there were so many court dates, I was too unreliable. I paid [REDACTED] dollars (\$ [REDACTED]) only to be forced through the train crash that is court. A train which is crashing into a rocky void. There is no way around, all you can do is hold on and hope it ends soon or give up and give the abuser what he wants so he leaves you alone... for a little while, until he become unsatisfied with that and starts demanding new things. It's also like being a mouse and having a cat play with you. They let you go, then drag you back, let you go and then drag you back.

The cost to me has not only been financial and I am lucky to have had a little family support. Constant anxiety inside me. On high alert every time the phone rang or I got mail. Hearing cars, smelling cigarette smoke etc. were triggers for me, my body would stop working and I would panic.

Even though I was consistently seeing a phycologist and I tried to stay strong, in the end I broke down. I was diagnosed with Post Traumatic Stress Disorder because of the abuse and placed on anti-depressants by my doctor

who nearly sent me to hospital because my weight had plummeted so dramatically, caused by the stress of constant court dates, contacts and continued abuse. Unable to eat, not sleeping, and yet still raising a child.

My child has suffered increasingly too. Anxiety, unable to eat before many hand overs, threats by his father to not disclose anything that happens to him when he is with his father, or else... Bullied by his father, not support by his father, bullied by his father's mother, girlfriends, their children as well. Recently I was told by my child that the latest child threatened to stab him with a knife and has said she wishes he was dead. My child is being exposed to domestic and family violence at contacts. His father and partner have huge fights, swearing, name calling, kicking things around and breaking things. There seems to be nothing I can do!

We have been constantly let down by the court system.

The Magistrate in the Family Court didn't make Orders that took the abuse into account. Consequently, supervision was lifted and overnights began. Screaming child at hand overs, unable to eat, clinging onto me, yelling that he didn't want to go because he was being hurt, "No, no, no! Don't make me go!", "My dad hurt me!" crying. Then the ultimate hurt, my child turning to me "Why do you make me go?". Because of the court orders, I was being made to betray my child and let him down in a most distressing way for both of us.

The ICL didn't take the concerns of myself, the court appointed psychiatrist or my child's psychologist seriously. Instead of remaining independent, he took my ex-husbands side, bullied me and somehow found a way to blame me... the abused party, at Mediations, outside court rooms, and through my lawyers. It was as though he was trying to make me give up so he could move onto the next Legal Aid case and get another grant of funding for his firm.

■ years later my ex-husband is still trying to get control of our lives and the abuse continues.

Yelling at hand overs. Throwing things at my family members. Swearing at us. Hand overs are out the front of a police station and he still continues.

Many times my ex-husband has tried to use the police to bully me. He lies to them and pretends our son is in danger to get them to perform welfare checks. The police know he is using them to bully me and refuse to perform the checks now. He is demanding, rude and belligerent to them but they don't care. They tell him "to pull your head in and you're behaviour is unacceptable." He has also lied to myself and my family about having police back up to try and scare me into giving him what he wants.

Over the years my ex-husband has tried to bully me into changing orders by having emails sent to me through free lawyers. These emails are littered with lies and accusations that I then have to respond to and defend myself from. More time away from my child, more stress and upset.

I still receive threatening, controlling, contradictory, nasty and accusatory emails written by himself, his mother and whatever girlfriend will help him. I feel I have to respond in case he takes me back to court. I still don't want to look like the 'unfriendly' parent.

So much manipulation!

Many of these things would not have happened had the previously reported abuse been taken seriously and orders had been put in place that reflected the abuse.

I have recently had to go back to the local court to get another Protection Order because my ex-husbands behaviour at hand overs became intimidating, erratic and scary, once again exposing myself and our child to domestic violence. Once again I was talked out of getting an order with a distance clause and the order is almost useless.

My ex-husband is also trying to change contact orders again, to suit himself and whatever woman he's with. Again, I am being made to pay financially. No thought by him to what our child should and can cope with, he gives no stability to our child and never puts him first. Our child's health and wellbeing as it risk when they have contact.

These abusers should not have the ability to go back and forth dragging their abused ex partners through court when they decide they want to tighten their hold a little more.

As a parent, it is my job to protect my child from these sorts of things. Ironically, the courts expect I protect my child but the courts made it absolutely impossible and abuse continues to this day.

The courts took away my right to protect my child.

My child is [REDACTED] years old and shouldn't have to endure this or find coping strategies because the courts are still ordering him to have contact.

The courts need to protect these children!