

The violence and abuse within my Marriage was becoming unbearable. As time progressed it was becoming more intense, with threats to kill if I left my husband. One evening it was so bad that I decided I had to get out of my home with my [REDACTED] Children as soon as I could manage. I had attempted to leave a number of times before but he always found me.

I realized that I would have to try and get into a Women's Refuge where my children and I would be safe. Fortunately we were able to gain refuge, where we received wonderful support.

We stayed in Refuge for a period of [REDACTED] weeks. That was the longest time limit that we could stay. There is such a need for Refuge for Women and children that there has to be a time limit on how long you stay. Anyway we have to get on with our lives. I proceeded to rent a flat for myself and children.

It was time to apply to the Family Law Court for Custody of my children, and try and work out some access arrangements with my Husband.

I new this was going to be a difficult situation as I new he was very unstable. I reiterated this to the Court . I had no idea what I was in for.

The FEMALE Judge presiding over my case took the view that I had done the wrong thing in keeping my children away from their Father, ( even though I had been in Refuge escaping from his Violence). She said that their Father could have access to the children and return them to my residence after access. She ordered me to give my address to their Father. I said I cannot do that . She proceeded to tell me that 'I WOULD BE IN CONTEMPT OF COURT', if I did not give my address and I would be in a lot of trouble. So I had no choice but to comply. I could not believe what had just transpired. I could only pray that he would not carry out any of his threats.

It came to the weekend of access, when he returned the children to my residence.

I decided to wait outside my flat with my key ready to get inside if I needed to in a hurry. At the time of changeover he asked me once again to return to him. I said I could no longer live with him. But I wanted him to be a good father to his Children. He could not accept this and said to me you are never going to see your children again.

[REDACTED]

I grabbed both Children and hid them in the back bedroom as I thought this would be the safest place if he tried to get in the flat. I rang the Police, as I was on the phone I heard a large gunshot and a Scream. I quickly tried to explain to the Police and hung up the phone, At that moment [REDACTED] came running out of the back bedroom and tried to look through the venetian blinds. I grabbed hold of [REDACTED] and we all just sat together in the bedroom until the Police arrived.

MY HUSBAND SHOT HIMSELF DEAD.

I was told by the Police that there were [REDACTED] bullets in the Gun. They believed that he had planned one bullet for each of us.

I truly believe that we would not have had to witness this trauma of my husband killing himself if I had not been ordered by the Court to give my address to him.

This action has changed our lives for ever.

Since the Death of my Late Husband my Children and I have had to live in hiding as my late husbands family blamed me for his Death. [REDACTED]

[REDACTED] I have had a number of threats from them over time, they [REDACTED]

[REDACTED] I reported all of this to Police but I [REDACTED]

then received threats from the family that if I continued with the Police investigation [REDACTED]

We had been through enough trauma and stress that I could not cope with any more threats to our wellbeing. I had to stay strong for my children and try to get on with our lives.

To add insult to injury I applied for Crimes Compensation for my children and myself, but that was rejected. Giving the reason being that too much time had elapsed from the time of the incident to the time of me applying. I was still living in hiding in another state of Australia when I had to return to [REDACTED] for the inquest into my late husband. This was a year after my late husbands death.

It goes without saying that these actions have led to difficulties in my childrens lives as they grew up, [REDACTED]  
[REDACTED]

It has been incredibly difficult to put the chain of events into perspective and to try and understand why the Family Law Court and the Crimes Compensation Tribunal came to the decisions that they did. I always thought that the Family Law Court was there to protect Women and Children from Violence and Abuse. In my case this has proven not to be the case. THE FAMILY LAW COURT HAS ACTUALLY PUT US IN HARMS WAY, BY DIVULGING OUR ADDRESS TO MY LATE HUSBAND.

THE JUDGE IN THE FAMILY LAW COURT RESIDING OVER MY CASE WAS [REDACTED]  
JUSTICE [REDACTED]

There are a number of issues that need to be addressed;-

1/ First of all the Family Law Court, needs to show they BELIEVE in what Women are telling the Court about the abuse they are suffering.

2/ Men can only change and stop this abuse if they are supported by their own family whom believe that abuse is wrong and cannot be tolerated and support them to receive counseling in any form to change their behavior.

This will not work with families that are complicit with their behavior.

3/ There needs to be a change made to the time limit for Application to be made to the Crimes Compensation Tribunal. One year only is no time at all to go through the emotional trauma of appealing to the Tribunal for compensation. It takes a lot of time and effort for a mother to gain a normality and routine in her life for herself and for her children.

In my situation I was still living in hiding in another state before I had to return to [REDACTED] for my late husband's inquest. Even then I could not attend the Inquest without a Police Escort. The Police advised that my life was at risk if I attended without a Police Escort. This was [REDACTED] after my late husband had committed suicide. It was impossible for me to apply for compensation then. I was still trying to keep myself together for my children. My late husband's family attended the Inquest, I had to leave the State and join my children straight after the Inquest as I was not safe, in [REDACTED].

I can supply Court documents to verify details if necessary.

Also I have testimony from a Refugee Worker. [REDACTED], Co-Ordinator, [REDACTED] Women's Refuge.

[REDACTED] was the Creator and Instigator behind the [REDACTED] [REDACTED]". A highly educated and respected worker in her field, with a long list of qualifications to support this.

I have applied four times to the Crimes Compensation Tribunal for them to reconsider their decision to refuse my application for extension of time, only to be met with a refusal each time.

I find this response to be unbelievable. IT IS JUST NOT A GOOD ENOUGH EXCUSE. Considering the fact that it was a FAMILY LAW COURT JUDGE and the decision that she made to divulging our address to my violent husband, THAT PUT US IN HARMS WAY.

THE JUDGE IN THE FAMILY LAW COURT RESIDING OVER MY CASE WAS [REDACTED]  
JUSTICE [REDACTED]

IN MY CASE I FEEL THAT THE FAMILY LAW COURT ACTUALLY PUT US IN HARMS WAY BY DIVULGING OUR ADDRESS TO MY LATE HUSBAND.

1/ First of all the Family Law Court needs to show they BELIEVE in what Women are telling the Court about the abuse they are suffering .

2/ Men can only change and stop this abuse if they are supported by their own family whom believe that abuse is wrong and cannot be tolerated and support them to receive counseling in any form necessary to change their behavior

This will not work if their families are complicit with their behavior.

3/ Their needs to be changes made to the Application for Crimes Compensation. A time limit of only one year is not sufficient for a women to apply for Compensation. All applications should be looked at separately and individually. It can take allot of time and effort to get your life and your childrens lives into some sort of routine. Usually when a Woman is forced to leave her home she leaves with very little. Mainly just the clothes on her back and her childrens belongings.

In my case we had to start from nothing. It has been a very hard road and we have never really recovered financially or emotionally. Living in hiding [REDACTED]  
[REDACTED] has been terrifying, always looking over your shoulder, in case they have found out where we live. .

I have included, for your information Witness Testimony from a Refugee Worker, [REDACTED], whom supported me while in Refuge and also attended the Family Law Court proceedings and also further proceedings with the Crimes Compensation Tribunal.

I would appreciate a response from the Royal Commission, that you have received my report.

I truly hope that this leads to some changes legally and also attitudes within the Community, towards Domestic Violence.

You can only begin to heal from the pain of abuse, when you are BELIEVED, especially when the Court is concerned.

Yours Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear [REDACTED],

[REDACTED] has requested that I do a summary report, covering the time she and her [REDACTED] children first came to the above refuge in [REDACTED] escaping domestic violence to this date.

I have always maintained contact with [REDACTED] and her children as many of the problems have been ongoing, exacerbated by the threats from her husbands family. [REDACTED] children have attended school holiday camps run by the refuge for the past [REDACTED] years and have stayed with my husband and I on a regular basis. Because of the relationship which has developed between [REDACTED] her children and me I feel I am in a position to inform the tribunal of the trauma the family has suffered since Mr. [REDACTED] took his own life on the [REDACTED]

I first accompanied [REDACTED] to the Family Law Court over an access dispute, when Mr. [REDACTED] would not return the children to [REDACTED] when they had mutually agreed that he would return them from weekend access. I was contacted by [REDACTED] and went to a flat she was renting, [REDACTED] was extremely distressed and concerned for the childrens safety as her husband had a history of disturbed, depressive behaviour. When [REDACTED] returned to the Family Law Court for an order to return the children, the judge granted her access for the weekend on the condition that she give her address to the father. [REDACTED] informed the court at that time that if Mr. [REDACTED] new her address her life would be at risk. The Judge ordered she give her address at that time, when the case for custody was heard in [REDACTED] weeks time [REDACTED] was granted custody and her husband had access fortnightly. Mr. [REDACTED] returned from the first access weekend with [REDACTED] children very upset, confused and aware that he had a rifle to kill their mother, he had discussed this all the way back from access. [REDACTED] children have relived this day with me on many occasions As you are aware when [REDACTED] retrieved [REDACTED] from [REDACTED] father and locked herself and the children in the flat, Mr. [REDACTED] returned to his car, drove it to the front of the flat and shot himself. [REDACTED] and [REDACTED] the children saw Mr. [REDACTED] slumped over the front seat of the car and contacted the Police.

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The following morning [REDACTED] contacted me at the Refuge and I returned to the flat with another worker to get some clothing. [REDACTED] and the children returned to my family home as the Police had been contacted by the [REDACTED] family who were holding [REDACTED] responsible for Mr. [REDACTED] death and had made threats against her. When I returned to the flat on another occasion [REDACTED]

[REDACTED] the house had been completely vandalised.

[REDACTED] and the children moved to new premises in [REDACTED] because the threats from Mr. [REDACTED] family continued, [REDACTED] and the children were not coping emotionally and had all become very nervous and stressed. On the advice of the police and support workers [REDACTED] left [REDACTED] to live with a relative [REDACTED] as there were grave fears for her safety.

Approximately one year after Mr. [REDACTED] death [REDACTED] returned to [REDACTED] and stayed with me, to attend the inquest into Mr. [REDACTED] death. The Police insisted that we have a Police escort to and from the court, as they believed that [REDACTED] was at serious risk. At that time [REDACTED] had lost a lot of weight, [REDACTED] was not eating, [REDACTED] was exhibiting many behavioural problems including recurring nightmares.

[REDACTED] returned to [REDACTED] and contacted me soon after to arrange to return to [REDACTED] as she and the children were feeling extremely isolated and depressed. [REDACTED] and the children stayed with me for about a month until they found a flat in [REDACTED]

[REDACTED] had developed eating problems which still exist, [REDACTED] is extremely small which has effected [REDACTED] muscle development, and becomes very tired and stressed easily. [REDACTED] gets very emotional and withdraws from many social situations. At present both [REDACTED] and [REDACTED] appear to be coping well but [REDACTED] still wets [REDACTED] bed and has nightmares.

If you require any further information or wish to interview me please contact me at the above address or at my home at [REDACTED]  
[REDACTED], [REDACTED]

Yours faithfully,  
[REDACTED]



Statement from [REDACTED]  
Refuge Co-ordinator.

I collected [REDACTED] and her children at a meeting spot on the [REDACTED] where she had come to escapedomestic violence. [REDACTED] had not been in Refuge before but had a long history of escaping her husband and already had custody of [REDACTED] from a previous court appearance. [REDACTED] at that time had been living with her husband in the family home at [REDACTED]. Whilst staying at the Refuge [REDACTED] obtained legal advice and applied to the Family Court for custody of the [REDACTED] children. At that time [REDACTED] could not return to the house for fear of her husband and his family.

After [REDACTED] rented a flat in the [REDACTED] area, she was not able to get any furniture, although advised to do so by the workers at the refuge and solicitors. [REDACTED] had to apply to Social Security for a pension and completely furnish a flat for herself and [REDACTED] children with second hand furniture and goods we could obtain from local charities.

[REDACTED] financial situation was precarious.

[REDACTED] had a private arrangement with her husband for access to the [REDACTED] children on weekends, the first weekend Mr. [REDACTED] stuck to his word but the following week refused to return the children.

[REDACTED] began proceedings at the Family Court to have her children returned to her and formalise the access arrangements. During that time [REDACTED] was being threatned by [REDACTED] and his family in front of witnesses at the court, and mutural friend and family were informing her of Mr. [REDACTED] threats which included killing himself and her, or taking the children out of the country and back to [REDACTED], where she would never see them again.

[REDACTED] and [REDACTED] were experienced workers in Refuge were in no doubt that Mr. [REDACTED] was serious in his threats. The workers were in constant contact with the children [REDACTED]

[REDACTED] who were aware of their fathers threats, as he discussed his plans with them on access visits and particularly [REDACTED] was very distressed and concerned for [REDACTED] mothers safety. [REDACTED] began bed wetting at that time, [REDACTED] was very possesiveand would not leave [REDACTED] mothers company without a tantrum.

The refuge workers continued to support [REDACTED] and her children after they left the refuge because of the threats and the problems [REDACTED] was experiencing. [REDACTED] was keeping her address a secret from the family because of her fears of reprisals from them, at one of [REDACTED] appearances at the Family Court the Judge demanded she give her address. Within the next week the family had come to her flat [REDACTED]. At that stage [REDACTED] was considering changeing her address but couldn't afford the bond or removal to get new accomodation, to feal safe.

On the [REDACTED] the refuge was contact by [REDACTED] about her husbands suicide. A worker visited [REDACTED] that day and organised to return to [REDACTED]s flat with her to pick up some

clothing and personal items. At a later visit to the flat it

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was clear that someone had tried to enter the flat, [REDACTED]

[REDACTED] The Police at [REDACTED] advised [REDACTED] that the family were very angry and threatening and they felt she was seriously at risk. The Police at [REDACTED] advised [REDACTED] not to go to the Police Station as the family were waiting outside around the clock [REDACTED]

At that time [REDACTED] and the children moved to a refuge workers house until new accommodation could be found, this was also on police advice. The [REDACTED] Police were most concerned for [REDACTED] safety as they had been approached by the family and had talked to the [REDACTED] Police about the problems they were having with the [REDACTED] family. I attended a meeting held at the [REDACTED] Police station where the Police informed [REDACTED] of the very real dangers she was facing from the family. It was there I invited [REDACTED] to move to my home until we could find other accommodation. At that time [REDACTED] and the children were in deeply distressed and obviously in shock, I felt the children needed the security and support of a worker they had known for some time. [REDACTED] then moved in with my husband and I until we could organise a flat and furniture removalist.

[REDACTED] was residing at my home during the time of the funeral, she was being warned by her family, the priest, the Police and other mutual friends that neither she or the children should attend the funeral. Threats were being made constantly that the family blamed [REDACTED] for her husband's death and even at one stage that she had shot him or that a friend of hers had. At that stage I was made aware that [REDACTED] was threatened [REDACTED]

This information was coming from the Police friends and her family. I was in no doubt that [REDACTED] was seriously at risk of her life from these people. At that time I had returned the next day after Mr. [REDACTED] died to the family home with the Police from the [REDACTED] station, where we searched the house and discovered bullets, the Police were looking for ammunition as they had discovered a dangerously aged bullet in a gun belt under the car seat of his truck. The Police felt that the discovery of [REDACTED] bullets in the gun belt supported the belief that Mr. [REDACTED] had intended to kill the whole family on the day he suicided as there were other bullets in the house, which could have been added.

[REDACTED] and I accompanied the Police from [REDACTED] back

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to the house to collect some furniture and found that the [REDACTED] the Police needed [REDACTED] to go to the house to identify what was missing and do a statement as to the damage, [REDACTED] [REDACTED] later I went with [REDACTED] and the Police the house had been further vandalised, [REDACTED]

[REDACTED] and I were having constant contact with the Police at [REDACTED] and [REDACTED], [REDACTED] would not press charges as she was afraid to incite the family further [REDACTED]

Around this time the workers and [REDACTED] found another flat close to the refuge so that we could give her and the children support. Unfortunately this harrasement and threats continued, [REDACTED] could not visit her mother as the [REDACTED] family were watching their house and making threatening phone calls. Eventually the stress became chronic and [REDACTED] was no longer sleeping and her health had serviously deteriorated. It was at this stage that her [REDACTED] offered her accomodation [REDACTED] in [REDACTED], where she and the children could recover without feeling threatened all the time.

The Police had agreed to contact me when the Coroners Court was sitting and I would contact [REDACTED] in [REDACTED]. At that time [REDACTED] didn't want anyone to know her address as she was scared the [REDACTED] family would discover her and carry out their threats. The [REDACTED] Police were most concerned even then, a year later for [REDACTED] safety and arranged a Police escort from the [REDACTED] Police station to and from the Coroners Court. At the court we entered by a back door and stayed at an outer office until [REDACTED] husbands case was heard. This was to protect her from the family who were still making threats. I had spoken to [REDACTED] mother a few days prior to [REDACTED] coming to [REDACTED] and although she did arrive at the Courts she had said she wouldn't as she was concerned for her safety if she supported [REDACTED]

In [REDACTED], [REDACTED] and the children returned to [REDACTED], they have [REDACTED] to avoid being traced by the family. I still have contact with [REDACTED] and her children and can attest to the fact they still live in fear of being discovered and the terrible memories of the past threats, and what could happen if they are discovered.

[REDACTED]  
Barrister and Solicitor  
[REDACTED]

Email: [REDACTED]  
[REDACTED]

[REDACTED]

Dear [REDACTED]

Re: Crimes Compensation

The Court has sent me the enclosed copy of the Court's reasons for the refusal of your application for compensation.

Perusal of the document will disclose that the Crimes Compensation Tribunal refused your application because it was presented out of time.

This decision by the Tribunal was appealed to VCAT. Unfortunately VCAT affirmed the decision of the Tribunal and also refused your application.

There would have been a right of appeal to the Supreme Court but the chances of success would have been fairly minimal. The refusals by the Tribunal and VCAT were based on the exercise of their discretion. Courts are very reluctant to go against a decision based on the exercise of a discretion. But more importantly an appeal to the Supreme Court would have cost you many thousands of dollars which would have far outweighed any financial advantage to you if a compensation order had been made in your favour. Besides, years have elapsed and the Supreme Court would not be favourably disposed to any action by you at this stage.

Regrettably, there is nothing feasible you can do to overturn the decisions of the Tribunal and VCAT. You have suffered greatly as a result of these crimes and I am sorry that this is so.

Kind regards,

[REDACTED]