



FORGETMENOT FOUNDATION INC

ABN28355923147

Ross House

247 Flinders Lane

Melbourne Vic 3000

ROYAL COMMISSION

INTO FAMILY VIOLENCE

In response to Question 2 regarding recent reforms and developments improving responses to family violence:-

We as an organisation who works with victims of crime have been involved with courts regarding domestic violence as support workers. We have not observed any changes regarding implementations of the law regarding AVO's, legal support, attitudes towards victims of domestic violence by police, law clerks and magistrates.

For example we attended a police station with clients regarding a physical assault on a child. The attending officer advised the mother as far as he was concerned they were never there and that her not to be vindictive and that she would probably go back to her husband anyway. He would not even speak to the child who attended the police station with us. We went to another police station who took several statements from the mother and her daughters who then ended up giving statements to SOCCIT Unit at Dandenong. The father was charged and pleaded guilty.

On another occasion the same mother attended the police station to report 26 breaches of an Intervention Order. The same police officer refused to take them or make a report.

Recently the mother's ex-husband attend the same police station and spoke to the same police officer regarding getting a Intervention Order on his ex-wife, the police office got the intervention order from the magistrates signed on the same day. The police officer took the word of the ex, who had been charged with assaulting one of the children, that the children were living at his address and stating that the mother not to be allowed to be near them or contact them, yet the children in fact have always lived with the mother. The mother had to go to the magistrate's court and proved that the children in fact lived with her, the magistrate took the children off the ex's intervention order and said "who put this through".

Another client rang on a Sunday morning for one of us to attend Frankston Police Station as her support worker, in regards to a statement that needed to be finished. The police officer had told her he would not be on duty but the statement would be there and any police officer could help her with it. The statement could not be found



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anywhere. We stated to the police officer in attendance that this was a waste of our clients and our time and caused further trauma to our already stressed client.

The Law Clerks need to be properly trained in regarding their attitude towards domestic violence victims. For example clients will be in court from 10.00am and the case may not be heard until 4.30 or 5.00pm. Clients have children to pick up from school and the Law Clerks say "You should arranged this, don't you have a family member or afterschool care". Not everyone has family to support them, not everyone can afford after school care. Dandenong seems to do this all the time to clients we have supported. We are the only organisation that we are aware of that stay with our client from 9.00 to past 4.00 in the Magistrates Court and Family Law Court in Melbourne.

Our concerns is there is no provision for parents who have to bring young children to court and that petty crimes seem to be heard before parents who need to pick up children from school.

We submitted a programme which is to educate teachers, carers and students within the Education Department which has just been forwarded to the Federal Government which covers all aspects of domestic violence on all levels.

CULTURAL DIFFERENCES

A client of Indian background who was a victim of physical and mental abuse had been advised by fellow Indian friends and by her Indian pastor to return to her abusive husband. Under her husband's control she was not encouraged to mix with fellow Australians. If not for our support she possibly may have.

Another of African background who was isolated from her family here in Australia and the community by her abusive husband. Her husband allowed to visit her parents overseas but was not allowed to take their young daughter to meet her grandparents. While overseas he told her not to come back and that he was changing the locks. She contacted Safe Steps and they misinformed her that she could get a recovery order to get her child when she got back. She also contacted us from overseas for our support. We supported her in court and at the police station.

We have other cases of cultural differences in other scenarios which we can share.



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We have clients who have no criminal records and yet the Magistrates have given the children over to the other parent and arranged supervised visits for the parents who the children were living with originally. In one instance the Magistrates decided the one parent should have a turn, it has been over twelve months and the mother has had to pay for the supervised visits ordered by the court. The mother only sees her daughter for 2 hours a fortnight.

Another client the Magistrates gave custody to the father who had molested the 2 daughters. She did not see her children for several years but the damage was done.

For me personally, I have been a victim of domestic violence and know what it feels like when someone tells you that they know someone who can dig graves somewhere where no one will find you in regards to me and my children. I am therefore passionate about stopping violence against women, men and children in the community. I am the daughter of Marie Greening-Zidan was bashed, sexually assaulted and then killed by two teenagers aged 15 and 16. The 15 year old I had known since he was 8 years of aged and stayed at my house every weekend and school holidays. I took care of him when he mother had cancer.

WHAT IS WRONG WITH THE SYSTEM

1. Police who will not do the paper work and get the facts right.
2. Need police to be properly trained and to not be judgemental and not to bully clients.
3. Need case workers and those who write reports to not assume things about the person they are writing about?
4. Magistrate Court at Dandenong is overcrowded and situated in a small space wherein you may only be a couple of metres from your perpetrator. It accommodates the Greater City of Dandenong and City of Casey which has the largest population in Victoria. The City of Casey needs a Magistrates Court.
5. Organisations who are funded to give support to victims of domestic violence and give statistics of how many clients they help, what about the ones they don't.
6. Organisations that are funded by the government who have been contacted to support the client and never turn up.
7. Clients end up having to go to many organisations trying to get the help that is needed as the organisations do not give the help they advertise. Many feel let down.
8. We also find networking between the Police and the Magistrates Court and other organisations does not is not communicated to each other so therefore they are not getting the full picture of what is going on.

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 VICTORIA HOMICIDE VICTIMS SUPPORT GROUP, VICTIMS OF CRIME AWARENESS WEEK INCORPORATED 2004.
 MAKING SCHOOLS A SAFER PLACE, UNITED WE STAND.FORGET ME NOTS ARE THE MEMORIES OF THE HEART



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With the rate Domestic Violence and Youth Suicide is through the roof in epidemic

Proportions and the correlation of the two should not be lost.

Also most of our clients are women who are the main carers for their children

Stay at home mothers, these are the most vulnerable in our society.

Submission into Domestic Violence prepared by

Wayne Simmonds

Janine Greening

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Dear Commissioners,

My name is Wayne Simmonds and I was born 1965, 3rd youngest of four children. My father and mother were both alcoholics and violence was as routine as day turns to night. One night in particular I will never, ever forget, is the night my father knocked my mother's front teeth out in front of us kids. That night my brother, sister and I huddled under a dining room table as the violence started to escalate, screaming so loud it almost seemed as if nothing was coming out, then we heard a loud "Smash" of fist hitting flesh and my mother fell to the ground in front of us, frantically picking up her shattered teeth with blood profusely streaming from her mouth. That incident took place 1971, I was six years old and I remember it today as if it happened yesterday. I would spend the next 12 years as a state ward, living in different Institutions, family group homes, hostels and on the streets of the northern suburbs. I think I have some ideas as to how it is we as a society, can help victims of Domestic Abuse

Firstly there are former Institutions laying abandoned that can be used as refuges for victims of domestic violence. These refuges be staffed by counsellors and other health professionals on a daily basis. I know of a former home for children outside Bacchus Marsh which would be an ideal template as it has an empty State School some 600 metres away where children could attend for education.

I also believe strongly that the use of a lie detector test be made available as a tool to determine just who it is that is telling the truth. The test may very well be inadmissible in a court of law but will go a long way in determining where funding is best directed saving thousands of dollars and wasted man hour's on vindictive allegations.

The voice of children caught up in this scourge of violence be given preference over perpetrators version of events, in short children are not going to want to stay with the person perpetrating the violence. Experience tells me that.

Perpetrators of Domestic Violence be made to confront their anger issues through counselling and group therapy.

Education programs implemented in all schools and sporting clubs regarding Domestic Violence. Sporting clubs to be encouraged to confront the issue via a Club House Oath whereby allegiance to the Club to report any cases of Domestic Violence associated with the club. Police to be given the power's to alert any sporting club or social club that one of their members has been questioned over Domestic Violence. Having been involved in sporting clubs most of my life I know the powers of being confronted by your mates on any issue is a daunting one.

I will end on that note and would like to thank you for allowing my voice to be heard and I hope somehow we can all band together to help stop the scourge of Domestic Violence.

Yours Respectfully

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Wayne Simmonds (Secretary) Forget Me Not Foundation.

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