

## Submission to the Royal Commission into Family Violence

██████████ 26 May 2015

### Lawyers, judges and police should not be above the law

Lawyers, judges and police should be prosecuted if they are found to be breaking the law. Who do you go to when the person who is breaking the law is a Judge? If you speak up and say, "This is against the law", it is ignored.

I was assaulted by police twice, but it is hard to find a law firm who can represent someone against the police. I tried to go to Slater & Gordon and Maurice Blackburn, but they were unable to represent me because they had previously represented the police.

### Legal Aid

Legal Aid should be made available for victims of family violence regardless of the assets involved, as the assets are usually taken by the perpetrator. In my situation, we have a lot of properties. I am not entitled to Legal Aid because we own property. I don't have access to the property at the moment. I suggest Legal Aid provide people with property with a loan, and then Legal Aid could be paid back when the matter is sorted.

### Education on disability and discrimination

There is a lot of discrimination occurring throughout Victoria. I think people need training about discrimination and the rights of people with a disability. I stood in court and told the Judge that I have a disability, and the Judge told me my disability wasn't relevant. I was discriminated against. I don't think people understand discrimination. I recommend more training for people in authority and for people in school. (This could also help bullying.)

### Visa policies

The visa policy for migrants entering Australia should be reviewed. I'm currently on a ██████████ ██████████ Visa as a part of a family. I came over with my ex in ██████████, and then my ex took all my finances, my home, and more. I think he saw Australia as having an "easy" family law system. In the ██████████, I was protected by the law and I would have ended up with more. The law is different there. There is a strong focus on people with a disability. In Australia, I am left with nothing and no funds.

Under the conditions of our visa, I think my husband is meant to support me, but he doesn't.

I am surviving on benefits. I get the Newstart Allowance, but I will be making a claim for the disability pension.

### Experience of people with a disability

I am Autistic. Autistics are very gullible and highly vulnerable. When I was pushed out of my home, I didn't know how to speak up and I didn't have a voice. I contacted lawyers, and the lawyers said: "You're not providing us with instructions." Well, I thought, that's because I had a disability. I needed help.

The lawyers decided not to mention the disability because it might interfere with seeing my children. Looking back, I think that was wrong.

**Custody**

My husband keeps adjourning our court dates. Each time we go to court he has an excuse to adjourn, because he doesn't want to split everything. He wants to keep everything to himself, including the children.

My partner does not have custody, he has just taken the children. I only see them occasionally. He has manipulated them. He has told them that if they have contact with me, they won't be able to see their friends. I text my children and leave it up to them to come around. My children are [REDACTED] and [REDACTED] now. They are starting to get their own minds.

**Central contact point**

I think there should be a dedicated family violence hotline or contact, like 000. That telephone response team could allocate a victim to a service which is dedicated to the victim's needs, not their location. It's very hard to get help. Who do you contact?

**Violence**

My ex-husband used physical, sexual and emotional violence. He made me very timid. He was my carer as well as my husband. I believed everything he said, he was my support. When we split up, he claimed he wasn't my carer. In the [REDACTED] he was receiving a carer's payment.

**Intervention orders**

Intervention orders should be abolished. They are not working. They take up a lot of police time, and in some cases they are being used against the victim. This is what happened in my situation. He manipulated the intervention order system so that it worked for him. I wasn't committing family violence, I was protecting myself, and I [REDACTED] to escape. He phoned the police, and then everyone finger pointed at me. I didn't know what was happening. I went to the court and I did exactly what my ex told me to do, which was to sign the order. I thought I had to sign. And then in [REDACTED], he went to the court to have the order amended. The new order included no drinking within my home. I couldn't attend that hearing because I was looking after my children and their friends. I breached that order – I had a drink [REDACTED] and [REDACTED]. He asked the children to look around the house and find alcohol. He showed the images to the police. I am left with two charges.

They scrapped intervention orders in the [REDACTED] years ago. If anyone commits a crime, be it violence or anything else, they get jail or community service.

**Police training**

I think police could do with better training in family violence matters. They need to be more responsible. There appears to be a lot of fraud in the police force. In my case, I was twice assaulted by a police officer.

**A right to health care – access to counselling**

There is a universal right to a fair trial and a right to health. I think there should be a right to free counselling for victims for as long as it is required. It's a very traumatic experience. Children should receive counselling too. Ten sessions a year is not sufficient when you have been through something as traumatic as family violence.

**Relocation**

Relocation to a safe place should be offered to all victims, inclusive of pets and animals. Pets and animals often get forgotten.

**Name and shame**

The [REDACTED] has a sex offender list. We should have a list of known family violence perpetrators. Perpetrators and narcissists don't like bad press. People should also be prevented from moving interstate, to prevent violence happening in another state.

**Employment**

Employers should be informed when a person is violent or has a history of violence. For example, people should be made to declare it to their employer. That would have a big impact on someone like my ex. His work is everything to him. It would free up more employment for good people.

**Social groups**

Victims should be invited to social groups so that they can get their life back on track. Many people become isolated because of the lack of abuse. I have found [REDACTED] very good for me. You meet people. It is often hard for people to trust when you have been in an abusive relationship.