

## Submission to the Royal Commission into Family Violence

This is a personal submission. During the past 3 years, I have been a person that has relied on the system to protect my children and myself. In this submission, I will discuss my personal experience.

- I was partnered with a person that subjected the family to family violence. This commenced in 2009.
- █████ 2012, my partner and the parent of my children, was committing family violence, the parent was abusive physically, mentally and verbally to myself and our children. The parent was depressed and held significant anger for everyone and everything in his life. He believed everyone and everything was against him.
- █████ 2012 my partner was threatening to commit suicide and to kill us all. I reached out to beyond blue, suicide risk. The response was to make a safety plan to remove our children and myself from the situation.
- █████ 2012, the police was called to our home, my partner and the guns were removed from the family home and intervention order was immediately put in place by the police.
- The IVO process was very daunting. My ex- partner continually contested the IVO. When discussing with the IVO process with the police I was confronted with a statement "The IVO may not stand as to many women you the IVO process as revenge against their partners." I was so scared for myself and my children.
- We were in the family court system for 2 years both individually funded.
- The court process heavily focused on the rights of the parents and not the children.
- I was then linked into Women's health west and █████ Community services, Victims of Crime, Women's health west
- I joined the women's group and participated for approximately a year, I came to recognize what family violence was, I came to understand that the family violence occurred over many years and ways and avenues of support with the current system and services available.
- Royal Children's mental health, explained to me that they weren't allowed to recommend appropriate visitation and exposure for the children to their parent.
- The parent breached IVO 3 times with good behavior bonds. The system allows the accused to adjourn 3 times pushing the hearings out substantially, which effects the family law court, as he was found to be guilty but a year later.
- DHS supported the parents and not the children and were highly un professional,
- Lawyers and Barrister stated "they are doing the best they can do with the system the way it is. Trying to make the best situation out of a bad system. The system is made for the majority and your in the minority."
- Royal children staff apologized to me for the system letting myself and the children down.
- The parent not seeking mental support, believes the behavior is acceptable. Is seeing Parent worker at Royal children's Hospital.
- █████ year old child still seeking mental health from Royal Children's for Post Traumatic Stress Disorder, and has been in therapy for over █████ years, All █████ children referred to Gatehouse, Displaying symptoms of being abused currently.

## Question 1.

Are there goals the Royal Commission Should Consider?

- Increased awareness in society regarding Family Violence
- Increased education for school student in what family violence is, that it is unacceptable, where to get support and help if required.
- Increased faith in the system to support the “survivor” of family violence and the protect the family from further violence.
- Increased ability for support networks, such as doctors, psychologists, schools, to be able to lodge report to the family courts, DHS, police to support the children who are “survivors” of family violence.
- Increased penalties and correctional support for perpetrators of family violence. (help the perpetrator be aware of their behavior, their behavior is unacceptable and give them ways to help them.
- There are high government costs is supporting the “survivors” after abuse has occurred, funding, laws and regulations need to be made more robust to prevent the abuse.
- The “survivors” of family violence should be believed first, before being further ridiculed by a system that should support them.

## Question 3.

- Public education campaigns – I have viewed many of these campaigns, TV, newspaper articles. I believe this is a good initiative and the amount of these should increase.
  - These campaigns state family violence is unacceptable and there is support networks to help. These support networks need to do what the “campaigns say.” It takes a lot of courage for a survivor of family violence, to stand up against the perpetrator and ask for help / support / protection. When the support, that they gain belief in, is not real or is inadequate, the victims are put at risk and the perpetrator is empowered as the system supports them.
- My family is a victim of family violence. There have been support process put in place that my family has been involved in.
  - Men’s Behavioral change : The perpetrator attended this course. He didn’t complete the course. I was called as a ex-partner of this person to be interviewed by the Service. He was confronted by his behavior, he was unable to take responsibility for his actions and claimed victim status through the process, when challenged by the leaders of the course, he claimed bullying and dropped out of the course. He has not participated in any other support networks and his behavior continues. The people from this facility called me to ensure I had a safety plan, as the family was at high risk, the police were alerted.

- Family law Court Process. This was drawn out, for over 2 years. The system actively ensures shared care between parents regardless of family violence and child abuse. We have a child that still suffers Post Traumatic Stress Disorder, also displaying violent and sexualized behaviors, the child has been seen by Royal Children's Hospital for 2 years and have been advised, will require long term support for mental health. I have a further 2 children that are now displaying behaviors that are sexualized and violent. They have been referred to Gatehouse and are on an extensive waiting list. The child abuse continues now.

While in court the Judge at the time stated "if the child continue to display these behavioral issues, he will be in jail by the age of 15 years."

The family was interviewed by [REDACTED], which was ordered by the court. He seen the perpetrator first for only 1 hour, 1 hour with the other parent. 1 hour with the children and each parent. The family court writer wrote concerns and the children and the father should be supervised. We were then ordered again to [REDACTED] after a year had past. The perpetrator still played "victim" again. The report was written, and which stated he still had concerns. The family report Writer expressed concerns but continued to grant the father unsupervised contact so that he can repair the relationship with the child without considering the safety of the child and the long term impact of abuse on the child - without ensuring he has received help to change his behaviour.

A process that supported me greatly through the court process, I was able to have the help of a voluntary support worker. This person came to court with me and supported me through the process. I was very good to have this support and not to have to do this alone.

The lawyers and the barristers stated to me on many occasions that the legal system is made for general population or the majority of people. You and your family are in the minority. They are doing their best. The Judge will always push for shared care. They are trying and try to get the best outcome in a poor system. They apologized many times to me due to the poor system and the law as the law that currently stands.

In the Final order. The perpetrating person has now got shared parental responsibility. The perpetrating parent's visitations increase over 3 years to become 40% care of the children.

#### **"Two tiers of consideration**

In deciding what is in the best interest of a child, the Act requires a court to take into account two tiers of considerations – primary considerations and additional considerations:

#### **Primary considerations:**



## Question 4.

- [REDACTED] community services, I was linked into this service due to my perpetrator attending Mens Behavioural change program. I found this to be a great support. I was linked into a support group for women. All though I am a highly educated person. I found that I was very unknowledgeable in the area of family violence. I learnt and had so much support from social workers and other people that experienced the same thing as my family. People in the general community still don't know what to, how to help "survivors" of family violence and they tend to distance themselves. This gave me support of many people that understood what my family had experienced and what further help there was for my family. This helped me to be able to express myself, grow self esteem and understand I am not alone.  
[REDACTED] community services was also able to support me with volunteers that were able to support me through the court process. This was instrumental for me. It gave me courage and support that I needed to move through the process.  
These social workers have always been there when I have asked or needed. They really care. I can not express how thankful I am for this service, for myself and my children. Please continue this service for all survivors of family violence.
- [REDACTED] they contacted me when the intervention order was put in place and the breaches of orders were occurring. They supported me by putting a security door on my house and engaging me with a councilor. This councilor has been instrumental in helping me mentally process what my family has been through. They were also able to refer me to other support groups if required.

## Question 6.

- Enablers to family Violence,
  - Community awareness, although there are education programs, many people are unaware of what family violence is. I was one of these people.
  - Some people in the community may be aware of the family violence. But they don't know how to stop it, or avenues on how to address it. They don't feel empowered to stop it.
  - The perpetrator being able to downplay, hide or deny the family violence.
  - The perpetrator be able to normalize the behavior due to the way they were brought up. eg. Royal Children's Hospital mental health service, Stated to me the parent "was brought up this way, he doesn't know any different."
  - Grooming. I have a [REDACTED] year old child that has stated "If I tell, I will get taken away. "I can't tell you, I will get in to trouble" "I am not allowed to tell you about....."(the other parent)
  - Policies and Procedures of support networks "I can't give that information / recommendations to the court, its against procedure." "I am so sorry, the system has failed you and your children." "I wish I could do more to help, but the system doesn't allow me to". "You are doing everything you can, I wish I could help, but our procedures don't allow me to."

- I have also been told from Royal Childrens and Child Protection “Your children aren’t bad enough yet. We can’t do anything. Your child is definitely displaying behaviours of being sexually abused but until they disclose, they can’t do anything, you can’t do anymore then want you are doing”. “Child protection “The children need to disclose to a third party not to you, you are there....” (parent)

Family Violence and child abuse should be prevented, not waited until the children are “bad enough, or wait until disclosure occurs” This enable the perpetrators to continue this behavior and believe they can continue it and our systems allow it.

#### PROTECT THE CHILDREN!

##### Question 7

- Education of our communities, children
- Support networks where “survivors” of family violence are believed and truly helped and supported, Genuine care from support networks.
- The people using the system need to have faith in the system and the system needs to demonstrate that it can stop the family violence and protect the “survivors”
- Intervention orders
- Education programs to correct perpetrators behaviors
- Education programs in schools against family violence, anger management, give children the tools to be able to express themselves effectively without violence.

##### Question 8

- Intervention Order Process: When the perpetrator was removed from the family home, the police also removed his guns. An Interim Intervention Order was put in place. I went the court to put the intervention order on the allocated date. The police interviewed me. The a policewomen stated to me. “Do you really want to do this”. “It may not get up”. “ Women come here all the time, they are vindictive and just want to punish there ex’s, are you one of these women”. “You may be seen as one of these women”. “I just need to let you know this.”  
When trying to extend the order. The perpetrator was again able to contest the order 3 times. The perpetrator during this time had breached the order 3 times, only getting good behavior bonds in that 12 month period.  
The perpetrator was also able to adjourn the court hearings 3 times in court when the charges were heard for the breaches,  
When trying to extend the order again. The perpetrator was able to contested the orders 3 time. Extending the process over months. This was a very drawn out process and painful process mentally. The order was only made for 12months .  
When the 12 months had elapsed again. I tried to extend the order again. The perpetrator contested 3 times again. This went to final hearing. The police stated to me that would allocate a barrister. When I attended the court hearing, the court had lost

the files and said I should have brought my own barrister. The perpetrator took an undertaking to the court not to commit family violence toward the children. And not to breach all the items on Intervention order toward my self for a period of 7 years. I have spoken to social workers and they believe myself and our children should still be protected with an Intervention order and we still remain at risk.

Police and courts, should support and protect the "survivors" of family violence. They should support them through the process, not deter them.

- Social workers at the courts : During going through the court system. The social workers were extremely helpful and supportive. This is a great service to the "survivors" of family violence. They helped me to identify family violence and that it is unacceptable and there is support for my family. They gave me hope while facing the court system which can be extremely daunting.

#### Question 9.

- Royal children mental health services had been seeing one of our children for over a year, due to policies and procedures they were not allowed to submit anything into the family law court or give any recommendations on parental exposure.
- Court Family writer was given permission to talk and be assisted by many of the people supporting the family. He did not use these. He used his opinion from a brief interaction with the family to assess the family.

#### Question 11

- I have been using Medicare to help pay for my counseling expenses. I am only allowed 10 sessions per year. I am having weekly sessions and I am improving, but the I am now paying from my pocket and this is quite expensive. More Medicare sessions would support myself financially. And would support other parent in the same situation
- Victims of Crime applications also supported some counseling sessions, this was also greatly appreciated, but more would have been useful
- What is very useful is Royal Childrens Mental Health comes at no cost to the family. This makes the service more accessible. The hours of operations are normal business hours, I work fulltime and can make it hard with the pressures of work to meet the hours weekly.
- Prevention of Violence and stop the ongoing abuse that continues.
- Educate the perpetrators that their behavior is unacceptable and ensure there are measure are put in place that the behavior stops.

#### Question 12

- Men's Behavioral change : The perpetrator attended this course. He didn't complete the course. I was called as a ex-partner of this person to be interviewed by the Service. He was confronted by his behavior, he was unable to take responsibility for his actions and claimed victim status through the process, when challenged by the leaders of the course, he claimed bullying and dropped out of the course. He has not participated in

any other support networks and his behavior continues. The people from this facility called me to ensure I had a safety plan, as the family was at high risk, the police were alerted. He continue to believe that he behavior is acceptable and that people will believe him if he tells them he has done nothing wrong.

#### Question 14

- People are not obligated to change, They need to want to change.
- Mens behavioural change can be completed and attended, this occurs over a short course, if they have attended, they get a “tick” in court. They attended. It is like ticking a box on completion, not they they have changed. They are not held accountable to change.
- There is no system to ensure the behavior has been achieved and sustained. This did not occur in my families situation.
- I was advised the person could be diagnosed a “sociopath”, he needs to be assessed mentally forensically, “your family is at risk” the means behavior change program facilitator called me and told me he had dropped out and couldn’t make he continue to attend.
- Parent currently attends to a parent worker at Royal children’s hospital fortnightly. Parent is court ordered to. Although this occurs, the parent still continues to abuse the children and myself, display anger management issues, still has an external locus of control. It is everyone else’s fault, parent is the victim, projects issues onto others.
- Breaches to Intervention order, the person breached the orders 3 times with good behavior bond only. People breaching are not held accountable.

#### Question 20/21

- Increased awareness in society regarding Family Violence, cycle of violence, types of violence.
- Increased education for school student in what family violence is, that it is unacceptable, where to get support and help if required.
- Educate schools and services on symptoms of abuse and the avenues to peruse to get help and advise.
- Increase the faith in the system to support the “survivor” of family violence and the protect the family from further violence. “Do what you say” protect families from family violence.
- Increased ability for support networks, such as doctors, psychologists, schools, to be able to lodge report to the family courts, DHS, police to support the children who are “survivors” of family violence.
- Increased penalties and correctional support for perpetrators of family violence. (help the perpetrator be aware of their behavior, their behavior is unacceptable and give them ways to help them.
- There are high government costs is supporting the “survivors” after abuse has occurred, funding, laws and regulations need to be made more robust to prevent the abuse.



- The “survivors” of family violence should be believed first, before being further ridiculed by a system that should support them.
- These campaigns state family violence is unacceptable and there is support networks to help. These support networks need to do what the “campaigns say.” It takes a lot of courage for a survivor of family violence, to stand up against the perpetrator and ask for help / support / protection.
- The change process for violent/ abusive behavior should be monitored, measured, verified & audited and if this can’t be corrected, then prevented through isolation, whether this be prison or being able to relocate and protect the people being impacted, or relocate / restrict the person that is violent.
- The courts should uphold the law and protect the innocent children from ongoing family violence, mental, physical and sexual abuse.
- Lawyers and Barristers are expressing to their clients there are errors in the law that need correcting to protect families. These professionals need to be listened to and considered. The laws need to be modified and followed by the legal professionals to support the families effected.
- Child Protection should put the needs of the children before the needs of the parents, they need to investigate more thoroughly. They should give support to the parent that is abusing the children to correct their behaviors and ensure their behavior has modified to being an effective parent. Children need both parents to be safe. Not one abusive which keeps the child in the cycle of violence allows the abusive partner to continue to abuse the other parent through the children and stop the children from growing to be ‘normal mentally healthy’ children.
- Government Organizations and support organizations need to be able to support and give evidence to the courts and not restricted. If they have supporting evidence to stop the ongoing family violence, they should be able to supply evidence to support the courts to make an accurate decision.