

My submission is based upon my personal experiences within an environment that has been highly prone to family violence. The circumstances that lead to the violence occurring, has ultimately culminated in a Supreme Court case; the case has been used as a justification for further family violence that has spilled over to other family members. There has also been an abuse of the court system itself by the perpetrators as another means to attack the affected family member, acts that have been sanctioned by the opposition's legal team. The circumstances that I present may be in stark contrast to the typical forms of family violence reported, thus I feel that it would be necessary to highlight the other side of family violence that I believe is not talked about fully.

My father is mentally ill, suffering from major depression, and has been indicated to be on the autism spectrum although no formal diagnosis has been made. He had made the choice for himself and his family [REDACTED] to live with his father in his place of residence approximately [REDACTED] years ago. The house was promised to my father for those years however in [REDACTED] his father (my grandfather) decided to alter the will and essentially gave majority ownership of the house and his residual estate to my father's sister (my aunt). My father was accidentally informed of this by my grandfather whom had hoped to use our continuing residency as a means of having "free care". Understandably things became difficult at home, my parents whom were in the 50's felt that they had lost the past 20 years of their lives and were now met with a predicament that they had not prepared for at all.

My father went to his sister asking for her support and had indicated to her what he had discovered. The family violence began from this point onwards and was perpetrated by my grandfather and aunt primarily against my mentally ill father, I assume that this was because they did not have to maintain the pretence of "happy family". My father was bullied regularly, due to his mental illness, inability to find adequate work, and for the symptoms of his ASD by both parties.

My grandfather would regularly goad my father, and would in turn cry foul when his bullying tactics gave a response. He knew that he could get away with his treatment of my father, regularly hiding behind his age and seeking support from my aunt, whom he knew would attack my father.

The first major incidence of family violence occurred in late [REDACTED] and follows this methodology. After insulting my mother with racial, and sexist slurs I took my distressed father out of the property to calm him down. We returned to find my grandfather getting in a taxi to leave to an unknown location. A couple hours later my father received a phone call from my aunt. He describes her as attacking him for not knowing the location of my grandfather; I heard him ask to be left alone but he was laughed at and hung up on. WE later found out that my grandfather had claimed that my father and taken him to the local shops and then left him out in the sun to fend for himself. My father became, for the first time, suicidal. Paramedics were not called however as we were able to calm him.

The following day my Aunt arrived at the house to take my grandfather out. Given what had been occurring we [REDACTED] hid in our bedrooms for fear of our wellbeing. This did not prevent my Aunt from continuously shouting that my grandfather would be home for dinner, and that we better be there for him. My father went to confront her for her aggressive behaviour, and for the phone call she had made against him. She cornered him in the kitchen...

Father: "You knew where he was? Didn't you? I didn't do anything to him!"

Aunt: "I just wanted to see you suffer!"

Father: "Just leave me alone! Why can't you leave me alone?"

Aunt: "Leave then!"

My father facing this barrage of verbal abuse, threw about ¼ of a cup of cold coffee at her in self defence. He immediately knew he had done the wrong thing, went and cowered in the living room. Upon learning of what had occurred, my Uncle tried to enter the property threatening to "sort [my father] out. The police were not called to the incident.

In the days following this incident, my father fell into a deep level of depression to the point of suicidality. He attempted to overdose of his medication. Despite pleas for privacy, my grandfather elected to disclose the attempted suicide to whomever he knew, further impacting negatively upon my father's mental health.

In [REDACTED], my Aunt and Uncle informed my Father of their intentions to sell the house and put my grandfather, as they believed we had not been providing a level of care to him that they felt sufficient, and due to the lies that my grandfather had been telling about my father being abusive when the opposite was true. After pleading for help from my grandfather, and his subsequent refusal to do so, my parents sought legal advice which ultimately ended in a caveat being placed on the property. Subsequent to this, my father saw a number vicious attacks from my aunt with each event leading to suicidality. We had approached the police a few times and had been advised to proceed with an Intervention Order (IVO), however he did not proceed as his Psychiatrist had advised that the Court System is not friendly to the mentally ill and the overall process may do more damage than good.

Prior to [REDACTED] my aunt assaulted my sister for defending herself and my father – the police were called to this incident due to my sister becoming suicidal for the first time. My father was then unexpectedly served with an interim IVO against him from my grandfather with false claims of abuse, and cited the Supreme Court case that my grandfather is the plaintiff in as grounds of abuse. The full order also had an eviction notice in it. From overhearing phone calls between my grandfather and another party, the IVO was a direct provocation of my father's suicidality, knowing in full that this may push him over the edge.

The relevant part of the phone call is as follows:

Grandfather: "Yes, he it was served yesterday...It upset him like we thought it would but he didn't do anything"

My father's legal team, psychiatrist, and other health professionals agree that this was **an attempt to indirectly kill my father**, so that the legal case would end. My grandfather continued to abuse my father, and threatened to "make things worse" for him, using the IVO to gain leverage over him.

We had initially thought that the IVO against my father, was my grandfather making good on a threat he had made to me if I had ever crossed my Aunt, having done so by calling the police on her after assaulting my sister. Following an incident where my aunt entered the house and began screaming at my sister and I, slamming doors and overall acting aggressively, my grandfather

threatened that if I ever called the police on her to report the incident, that he would “go to the police, and tell them that your father had been abusing me”. This follows an earlier threat that he made where he claimed that he would place himself in a position of harm and attribute any harm to my father. We later found that the IVO had been made at my grandfather’s lawyers behest as a means to use my father’s mental illness to push him to drop the case or kill himself.

My father took out a cross order against my grandfather to stop the threats, and one against my aunt primarily due to the assault on my sister but to also stop the abuse directed towards him for the case. She has breached the order on a couple of occasions; insulting him over the phone. However the police have stated that they cannot prove this as she would just claim that she was calling to speak to my grandfather.

Much of the family violence has been detailed, and follows the same sorts of trend of defamation, verbal and written abuse and vilification based upon the legal cases and his mental health. We have found that a major barrier to seeking aid is money, the IVO against my aunt is being challenged by her but we fear that it will need to be dropped as we cannot afford the legal fees for all the cases. Something must be done about affordability, for it seems to me to be unjust that a barrier to being protected is money. My father claims that he cannot access legal aid due to my mother’s income, despite her level of income being unable to be stretched to pay for legal fees.

There also needs to be protection for the mentally ill. The scenario I have presented above is attempted murder, but the perpetrators have gotten away with it.

There needs to be more accountability for those who take out IVOs. For example the one taken out by my grandfather against my father is blatantly perjury and he has himself admitted to it being false to both myself and my father. But he’s gotten away with it.

I don’t believe it would be right for me to comment on the supreme court proceedings unless asked. My father says that he would be more than happy to discuss the family violence with the commission as would the rest of the family. I understand that this is brief given the level and style of violence, but I believe that violence against men and the mentally ill is not discussed as much as it should be and that what has occurred may be rather unique and that once again we would be happy to discuss these circumstances.