

Submission to the Royal Commission into Family Violence

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5 June 2015

My particular story concerns the family court and my ex-husband. Who was abusive in the marriage, but this didn't have anything to do with sex work when we were married. After we separated he has tried on a number of occasions to gain full custody of our █████ children using my past and my current nature of work as grounds for the children's welfare being at risk.

For example, last year I was summonsed to court for an emergency hearing after he claimed that my profession put the children's welfare at risk. It wasn't sex work as such what I was doing, what I was doing was running workshops for women about sex, helping to empower women, teach them tips and techniques for the sex life

The court granted him this expedited hearing. So I had to pay for a barrister for the day to defend myself. Legal Aid resources are so scarce that you have to represent yourself. If you're lucky and someone from Legal Aid is in the court on the day they might be able to help you, but generally your issue is of low priority because there's no jail time attached.

The good thing that came out of it, but it was more good luck, was that the judge on the day said I don't care if she's a prostitute, prostitutes can raise happy children as much as anyone else. It was more luck than anything.

I had to spend a full day in the court explaining and justifying and defending myself and trying to prove that there was nothing wrong with what I do, and that it has no bearing on what kind of mother I was. As part of the family court process affidavits are written by both parties. He wrote a very lengthy affidavit accusing me of a long list of things to do with my sexuality and what I did for work that were aired in public and in front of a lot of my people, my family, my legal representatives. At the end of the day, although none of them had any bearing or weight on the judge's position, it still all gets aired and I still have to go through the process of defending and explaining myself, which is upsetting. I'm not going to say embarrassing but it's not stuff you want your parents to be privy to. It's just a really unpleasant thing to have to go through, and then to have it thrown out at the end of the day because I had a judge who understood.

When we first separated and we had our settlement, again his affidavits were full of his accusations that I had done sex work prior to our marriage and this was grounds for him getting full custody of the children.

He used the sex work to continue to bully and intimidate me

In the three and a half years that I've been separated I've have to endure a relentless campaign of harassment and bullying. He tries to use the court system, and more recently, child support to help him do that. Once he's exhausted all of his avenues with the family court to try and get the children, he then moved on to child support and put accusations to them that I was doing many underhanded things. So I've had to defend myself to child support – it all comes out positive for me in the end but the amount of hours and nights I've had to spend responding to his accusations because I have to. Because it's done through official mechanisms – because I have to respond – it's taken its toll. It's not just the hours spent writing up the responses it's the hours spent stressing about it. It doesn't matter how confident you are that the truth will come out there's always going to be that stress that yes, I could lose my children or lose financially until the official ruling is made.

Unwittingly, the Family Court and Child Support are all being used to help him in his harassment. So I'm now in a great amount of financial debt through having to respond to his court proceedings. The last time I was in Family Court, I used the opportunity to ask the judge to order some counselling for both of us so we could learn to co-parent better, which he granted. So we saw a court-appointed psychologist but after 2 sessions he pulled out, he discontinued and as far as I'm aware there's no repercussions for that. Things weren't going his way, so he decided on his own that he didn't want to do it anymore.

The main message that I wanted to get across is that it's not fair for men to use my history working in the sex industry to try and hurt me.

I'm not different to any other mum in the school ground. What I do for a living has no bearing on what kind of mother I am.

I'm not sure what happened in the system that allowed him to get an emergency hearing. He applied for the hearing saying the children's welfare was at risk. I guess that's all he had to say and he got the date, even though when you read into why he thought their welfare was at risk the reasons were completely invalid according to the judge on the day.

It's not uncommon for men to try and use the knowledge of women working in the sex industry knowledge against their ex-spouses.

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