

From: [REDACTED]
To: [Enquiries](#)
Subject: Submission to the Royal Commission into Family Violence 26 May 2015 p 2 of 2 please see separate email for cover sheet attachment.
Date: Tuesday, 26 May 2015 4:25:23 PM

Dear Members of the Royal Commission into Family Violence

Please see my separate email for the signed cover sheet which appears as an attachment. My personal details are also given at the end of this submission. I have selected Option 2 (anonymous). I apologize for not using the website but it was not responding .

I was born into a rural Australian family in which violence has been prevalent for at least four generations. I am trying to break the cycle.

I shall respond to some of the questions in the Issues Paper released 31 March 2015.

Question 1. In order to achieve a violence-free society, I believe that child cruelty in all its forms should be regarded as assault and treated accordingly. This should lead to a swift decline of family violence. Also, the term "best interests of the child" which assumes that a child should remain with its parents and is therefore the parents' property, should be replaced with a clear definition of enforceable parental responsibilities.

I also believe that the following should be part of the compulsory curriculum in schools.

- i. Ethics and the teaching of acceptable values including the need for unflinching courtesy which may lead to the development of empathy.
- ii. Basic psychology to enable children to recognize mental illness in parents and others. Most child abuse is associated with mental illness in a parent or carer. The child should be aware of the illness before being permanently damaged by the abuse. The child can be still be compassionate regarding the illness, while understanding that the abuser is not rational and possibly feels threatened by a normal child who is not at all like themselves. (My own life and that of my descendants would have been different if I had known at the time that my mother was mentally ill and that her view of me was distorted and involved psychological projection. She was relentless in her criticism and in her demands. I did not realize that she was violent

towards me until after she died, as it seemed normal at the time. No one contradicted her, at least in my presence. I therefore believed all she said).

I believe that the Family Court system should be changed from adversarial to inquisitorial so that it seeks only the truth. Family lawyers, and others working in the field need to prove their capacity to be objective and compassionate towards children, and they should have integrity.

Question 2. Recent reforms have permitted me (a grandmother) to re-open a Family Law case of █████ which resulted in a severe miscarriage of justice and ensured that two children remained at risk. One left home on her 18th birthday, the other is 16 and still at risk. I am at present trying to arrange a better life for him which is why I am requesting that my details not be revealed in this submission. The only improvement I can suggest (apart from removing poorly performing Family Lawyers from the profession and hastening the Court process) is finding a way to keep at-risk children safe before the Hearing.

Question 3. Re: Reforms of the last ten years. I think that those resulting from Professor Richard Chisholm's Report of 2009 (and the events which preceded it including the Online Opinion Forum on "Child Abuse and the Family Court" and the ensuing Australia-wide Rally of May 2008) have been the most effective.

Question 4. I participated in the above Online Forum and attended the Rally. I also made a submission to Professor Chisholm. In recent years I have tried to help a disabled nephew (now aged █████) who has always been badly treated within the family. Through VCAT I tried to arrange better guardianship arrangements and a better quality of life for him but without success. I attended a Hearing at which I was not allowed to speak.

Question 6. Because of our rural background it is possible that witnessing the cruelty inflicted on animals in the course of earning a living as farmers has desensitised children to suffering. This seems to have been passed down through the generations becoming part of the family culture. It may be hereditary. Often a child is scapegoated for simply being different from the others. Fundamentalist religion is a factor. Lack of interest in promoting children's education occurs because of a parent's own failure at school where perhaps the teaching was inadequate. Or it may be based on religious beliefs or a wish to retain the child as an unpaid servant. The absence of strong male role models is a constant feature usually caused by

premature deaths. Displays of affection between family members have always been discouraged. Victim blaming is prevalent.

Some younger relatives (including my sons) are highly qualified academically but lack emotional intelligence and empathy. This is partly because of my lack of warmth as a mother when they were infants. I did not then know what they needed as I had never experienced unconditional love.

Question 7. Reduced occurrence of family violence. I can only suggest that victims physically remove themselves from the abusive environment. Few can do this without the help of a sympathetic relative or a trusted friend to support them. There still remains the pain (and feeling of shame) of being alone at times of crisis and when other families are celebrating together.

Question 8. Recently a Child Protection worker was unhelpful. The solution lies in better staff selection, education and training.

Question 9. There seems to be a lack of co-ordination as well as a fear of breaking some unstated rule and of doing the wrong thing. In my ongoing quest to help my 16-year-old grandson, my lawyer suggested that we fly to [REDACTED] to visit him at school. (When he was [REDACTED], this child had told me of the abuse, some of which I had witnessed before losing personal contact with him. He had asked to live with me and I tried to arrange this through the Family Court, without success). My involving the authorities initially in [REDACTED] where the family was then living and I was visiting, was the reason I was denied further contact with him. The family left [REDACTED] very suddenly in order to avoid the scheduled Family Court Hearing in [REDACTED]. Better co-ordination might have prevented this and the further damage inflicted on the children by the enforced move and having to keep their Australian location secret from me for the past [REDACTED] years.

Recently, a sympathetic [REDACTED] policeman told me that my grandson (now 16) was free to leave home but I had no way of letting him know this as my few permitted communications with him are not private despite my use of registered mail etc.

The visit to my grandson's school [REDACTED] was a last resort, and it was a technical contravention of the Court Order of [REDACTED]. My lawyer and I had not been granted the appointment we had requested. However the School's Vice-Principal did see us and while she was very cordial, she was also emphatic that I could not see my grandson at school and that no one at

the school could tell him that, at 16, he was free to leave home. In any case he was truant on that day. It was I who established this by contacting both the school and [REDACTED]

In another [REDACTED] months the Family Court in Melbourne will decide on my grandson's future. Although at 16 my grandson can legally leave home, the Court Order of [REDACTED] must stand until he is 18. I would gladly arrange for it to be revoked but his now divorced parents who live 12,000 miles apart, will not agree.

I believe that insufficient integration and co-ordination between the various bodies who come into contact with family violence does hinder assessment etc but the only example I can provide is that of my grandson as outlined above. From my recent experience I would suggest that that trained police liaison officers would be the most effective coordinators. There is also the possibility that they might have had some experience of family violence before joining the Police Force. Those social workers with whom I have had contact are well educated and middle class with little insight into child abuse.

I had further experience of poor co-ordination etc when I tried to reopen the failed [REDACTED] Family Court case in [REDACTED] because I detected signs of depression and self-blame in my grandson during our phone conversations. For financial reasons I planned to represent myself as I had already spent a very large amount on legal fees in [REDACTED] and Australia which resulted in only slight, indirect contact with my grandson which has been frequently contravened by his parents. I have been forced onto a part aged pension. The obligatory Telephone Dispute Resolution Service (TDRS) failed because the apparently young and inexperienced mediator was not able to control one participant who was overtly violent in his manner. The mediator declared the session a success. I knew it was a failure and did not proceed with the case. The TDRS session might have worked if a more senior mediator had been involved as supervisor.

Question 10. I am not in a position to respond to this question although I expect it has much to do with management attitudes.

Submitted by:

[REDACTED]

