

Submission To The Royal Commission Into Domestic Violence (Vic)

To the Members of the Royal Commission.

My name is [REDACTED] I am [REDACTED] years old and the mother of [REDACTED] children. For [REDACTED] years I was married to a violent man and subjected to violence: physical; verbal; emotional; financial. My children witnessed countless incidences of violence against me and were also subjected to violence by their father.

I hope in my submission to highlight issues within the system and offer some ideas for facilitating the safety of women who are fleeing violence by using my own experiences of both gross violence and the treatment I received, as a 'victim' from the system over [REDACTED] years.

My ex-husband, [REDACTED], is an alcoholic and habitual marijuana user. [REDACTED] years ago I left the marriage under circumstances that resulted in [REDACTED] and I being made homeless. Domestic violence services could only offer us the possibility, but no guarantee, of all sharing a room in a boarding house at a cost of approx. \$[REDACTED] per person a week or maybe a caravan park. There was no hope of emergency crisis accommodation in an over burdened system. The domestic violence services I contacted were very concerned and clearly felt frustrated by the helplessness I was experiencing and their own helplessness to provide help to people contacting them.

My intention in this submission is not to talk about individual incidents of violence perpetrated by [REDACTED] against myself or my children, but more about our experience within 'the system', however to illustrate the issues, the incidents are inevitable and I will endeavour not to a) provide too many and b) to be dispassionate and not too graphic. My reasons for not leaving or for taking [REDACTED] back after he had 'starved us out' are standard reasons amongst women who are caught in long term cycles of violence and will be well known to the Commission so I will not dwell on those.

My experience with contacting the police, has been nothing short of frustrating. If they bothered to show up, their focus would not be on the assault, but what I had done to cause the assault. The message was clear, I was somehow to blame for the assault on my person.

After one particularly brutal incident, where I believed I was going to die, and was left with an orbital fracture, cracked ribs and bruised kidneys amongst other injuries, the police came. [REDACTED] was taken to the [REDACTED] police station and I was also asked to come to the police station. They took photo's and asked what I had done to set him off. I was told if I did not support their application for an I.V.O. they would never attend any incident at my address again. At some point while I was being questioned, the police released [REDACTED]. As I was leaving I was told [REDACTED] had been released and I should not go home because he was dangerous. I spent more time at the police station than he did. I was subjected to humiliating questioning and threats of non attendance, while he snoozed in a cell and then he was released and my children and I could not go home because he was dangerous. It was after midnight and I had to find somewhere for us to stay – and I wasn't the dangerous one.

[REDACTED] had destroyed the house in his rampage, [REDACTED]

[REDACTED] All of the children witnessed him smashing me in the face and stomping on me, then dragging me through the house by my hair. When the attack on me began I believed he was going to kill me this time and I scratched his face, wanting someone to know who had killed me. It was a desperate logic that would come back to haunt me.

When we arrived at the ██████████ Magistrates court a couple of days later for an I.V.O. the magistrate commented that ██████████ looked like he should be taking an I.V.O. out against me. I had the earlier mentioned fractured eye socket and had been peeing blood from the damage done to my kidneys, could barely breathe because of cracked ribs, but had to listen to a magistrate empathise with my attacker because he had a couple of scratches on his face. The magistrate was under no illusion that I was the problem.

I have recently attended, as a spectator, many magistrate cases. I had the extraordinary experience of sitting at ██████████ Magistrates Court listening to a young man explaining to a magistrate why an I.V.O. should be withdrawn. 'She' had over reacted and he'd hardly touched her. The magistrate agreed that it 'was only a few bruises' and withdrew the I.V.O. I had to leave the court room for fear of having myself arrested by asking the magistrate how many stab wounds constituted 'only a few'. This was in ██████████ this year.

In ██████████ this year a friend who was doing work experience at ██████████ Magistrates Court had a case come before the court, a huge man, tiny woman. He wanted the I.V.O. the police had taken out against him after he had half killed 'his woman' withdrawn. My friend said he looked into this womans eyes and she wasn't afraid, she was resigned. The Magistrate withdrew the I.V.O. despite what court workers felt was obvious coercion on the part of the defendant.

A few days after my unfortunate experience at the ██████████ Magistrates Court I had community zservices on my doorstep because the police had mandatory reporting obligations. My children had witnessed an act of gross violence, a couple of them had been assaulted by their father/step father. And community services wanted me to explain myself.

They didn't pursue ██████████ to ask him what made him believe he had a right to violently assault his family, but I had to explain why I hadn't kept my children safe from their father and why they should let my children remain with me. Yet again, I was the problem.

I was discussing this with a family member who works as an advocate between the Department of Human Services (the Department) and women who are victims of violence. She said she sees it all the time. The Department go to a home because children have witnessed violence against their (usually) mother and the woman then ends up having to defend her parenting and explaining why she hasn't done the dishes or folded the washing. Again, the system placing the blame on the victim, not on the perpetrator and completely failing to protect anyone.

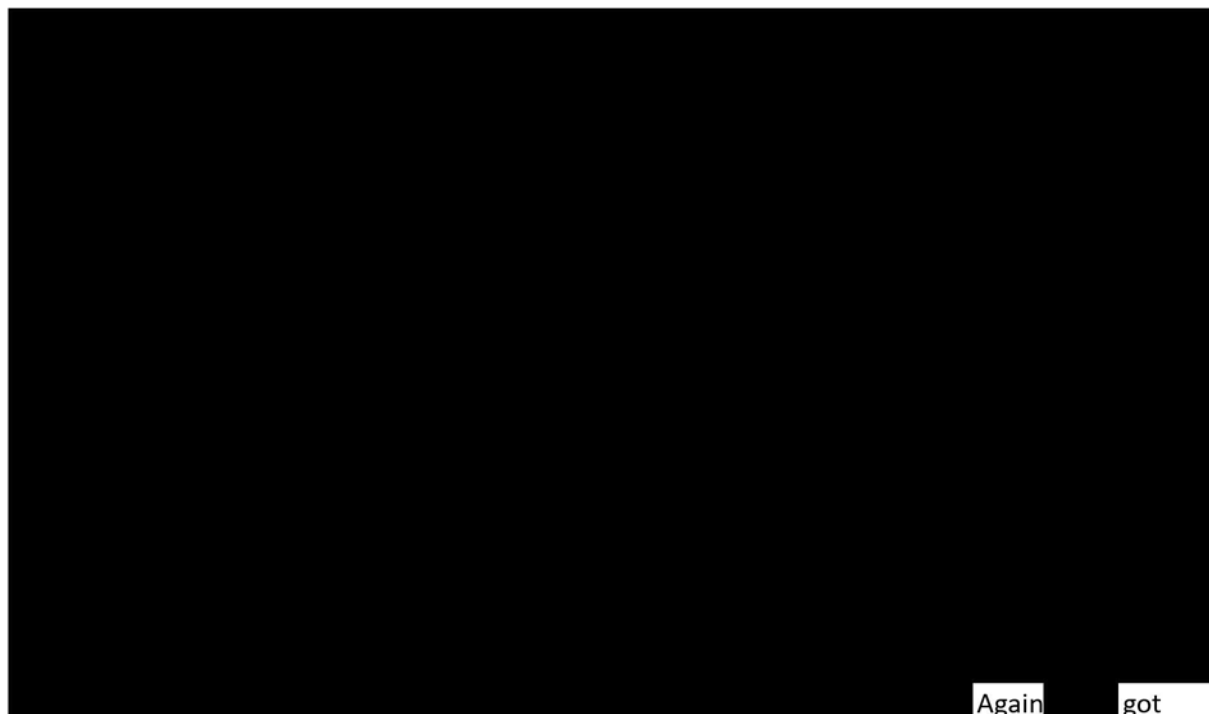
I only called the police one other time after ██████████ had violently assaulted ██████████. The Belgrave police arrived and one of the officers, Sgt ██████████, was a friend of ██████████, he overlooked the fact ██████████ had ██████████ my children lined up like a wall in front of him and an axe behind his back. They left without doing anything. I'd over reacted, stupid woman etc etc... I was, again, the problem and I could be disregarded.

I use the above example of one of many extremely violent assaults to demonstrate how my family and I were viewed and treated by 'the system'. Admittedly this incident occurred ██████████ years ago. Surely the system has improved over that time?

After leaving the marriage and at the insistence of my divorce lawyer I was put in touch with a lawyer who handled V.O.C.A.T. claims. I had no idea that we would be eligible for any form of compensation – we couldn't even get secure housing. After ██████████ months of torturous grilling about the above incident (which ironically was the one my children, with absolutely no collusion, all told the lawyer about) and others, providing doctors records for injuries and having to rip open long closed wounds of old abuse at ██████████'s hand, I was yet again at the ██████████ Magistrates Court, this

time for a V.O.C.A.T. hearing. The member proclaimed her disbelief that I would have taken [REDACTED] back in the past and proceeded to lambast my probable character and parenting ability. I was devastated. This had not been my idea, I did not want money, I just wanted it to be on record somewhere that my children and I had survived years of violent assaults and here I was again, at a *victims of crime* hearing – and I was still the problem. Her opinion of me was reflected in the compensation I received as a primary victim – less than half of what my children received as secondary victims, and I am fine with that, as I have stated, I did not want compensation, I wanted an official record, but had not expected to leave a strip of metaphoric flesh for the privilege of that record.

The police must have changed though? Former Police Commissioner Ken Lay was all about making Victoria the say no to violence State, so surely the police were now more clued in to issues around this sort of violence?



Again [REDACTED] got away with a dangerous and violent assault on a member of his family because the police saw us as the problem and could not be bothered to pursue it. Nothing has changed.

The system has not changed. Former Police Commissioner Ken Lay's 'Victoria – The Say No To Violence Against Women State' was a nice idea. 38 women dead so far this year in Australia – possibly 39 or 40 by the time you read this. It hasn't improved anything, it was just a slogan if the police can disregard assaults by family members and become verbally abusive (to a woman) when they are asked a simple question, it shows an ongoing disparate in the balance of power.

I did not intend this submission to be so personal, though violent assault by a person you loved and once trusted is probably as personal as you get. My intention was to illustrate the issues I encountered as a victim in the system over [REDACTED] years.

I had hoped to offer some solution based ideas for how the system could deal with victims, I am aware that the R.M.I.T. Centre for Innovation's submission will have solutions for dealing with perpetrators' of violence against women/family members. There have been studies that show when a perpetrator is immediately jailed and then faces court quickly, the recidivism rates of I.V.O. breaches drop dramatically.

A specialist court set up, like the Collingwood Neighbourhood Justice Centre, for 'domestic violence' issues only would be an ideal set up where victims can be linked to services and perpetrators' could also be linked to suitable services. Such a service should be staffed by people who understand all of the issues that face women in violent relationships and should be inclusive and blame free. This requires a true, long term commitment and funding.

There is a programme being run in NSW for violent men which has been successful and is one of very few programmes to have received accreditation in the recent 'go home, stay home (shut up)' culture of governing violence issues in NSW and would be a valuable model for Victoria to look at in regards to perpetrator behavioural interventions. The model was developed at Kempsey Family First Services, - 02 6563 1588.

Countries like Norway and Denmark support women leaving violence with safe communities where women can live, they provide a living welfare, health care, free childcare and free education to support them to make life changing choices. They have found that once women find their feet they move on to productive, contributive lives – the investment in these women is repaid many times over. It takes on average three years for abused women in these countries to complete education, find employment and move from the safe community – low cost housing that is specifically for women leaving violence. The governments of these countries empower women leaving violence to make choices that don't include an abusive partner. In Victoria we allow women six weeks in a refuge and then they have to move on. Personally I receive \$[REDACTED] a week. So where do you think I can afford to find a rental in [REDACTED]? As it happens, after two bouts of homelessness I have secure, public housing and while I can't afford to eat meat, I can pay my rent.

We need to look at these Scandanavian models and apply them here. Where I live could easily be such a community, it would only require an electric gate to make it secure. A floor in each of the Department of housing's high rise tower blocks around Melbourne could be put aside for women and children fleeing violence that could only be accessed by code or a fob and serve as short term accommodation until more appropriate housing can be found. More funding for public housing and more specific stock, would provide options for women who are escaping violence. We could implement these models. Women return to violent men because there are no options. Extortionate rental in a rooming house for a woman and her children, sharing with alcoholics and drug users or returning to the devil you know – it's not that big of a stretch to understand how women end up going back to their abuser when the options are so equally appalling. Of course it all comes down to funding and battered women and children are usually not high on the agenda of governments, but a concerted effort by governments at State and Federal level to fund housing and recovery programs is crucial to turning around the current epidemic, along with the training of people who work within the system to alter the culture of disregarding violence victims because they're not compelling enough.

My family went through the process of Victims Of Crime and I was told that I was a terrible person by the member who clearly had no concept of the cycle of this sort of violence and absolutely no compassion or empathy. The person who continually violently physically, emotionally, verbally and financially assaulted us has never been held accountable for his actions. No one has ever stood him up in a court of law and said 'your behaviour is unacceptable'. But I've been told that as a victim. No one has ever said 'you should compensate your family for the abuse *you* perpetrated against them' – instead it was the State who provided meagre compensation (and severe disapproval). He has simply gotten away with it and as with the system, *he* has not changed because he has also been involved, peripherally, with the same system that treated me as the problem and he has never been accountable for the things he has done.

Just to illustrate that lack of being made accountable - on the [REDACTED] this year I was driving east along [REDACTED] in [REDACTED] when [REDACTED] drove perilously close to the side of my car and cut me off. I had no idea he was travelling behind me. He scared the Hell out of me, which I'm sure was the intention. [REDACTED] years later, and he still feels entitled to terrify me and intimidate me. [REDACTED] told him where I live and I'm not safe but I can't afford to leave or to give up a public housing house. I have no doubt that I will be on that list of dead women murdered by former partners at some future point because he is an extremely dangerous man and I don't trust the system to care enough to protect me. I know that I will never really be safe, that his sense of right to know where I live, who I see, what I do and to periodically terrorise me by doing stupidly dangerous things in traffic or going through my mail box and stealing mail, contacting my bank and having my contact details changed to his details are all factors in what will end up in him one day fatally assaulting me. I know that I should go to the police and report the incident of the [REDACTED] mentioned above, but my experience with the police is that they will treat me like I am the problem and it won't even be recorded.

You might note that in this submission I avoid using the terms 'domestic violence' or 'family violence'. These terms, to my mind, diminish the impact of the physical aspect of the violence. They are simply spin terms to make an horrendous assault media friendly. If I was walking down the street and a man punched me in the face hard enough for me to sustain an orbital fracture, stomped on me and dragged me around by the hair telling me how he was going to kill me, he would presumably be charged under section 15A of the *Crimes Act 1958* – Causing serious injury intentionally in circumstances of gross violence. Indeed, if a stranger broke into my house and caused those injuries amongst charges for illegal entry to my home there would be a charge of s15A or stronger. So to minimise this violence with terms such as 'domestic violence' or 'family violence' seems incongruous to me because this form of assault was committed by someone who I am related by intimacy to. I realise former Attorney General Rob Hulls advocates for a more sympathetic approach to perpetrators and I admire his stance and statesmanship. Personally, for my situation, I think a zero tolerance approach with actual consequences is the safest stance.

As a final, personal note which might summarise our experience, I would like to tell you of the effects of living with prolonged exposure to this level of violence has had on us. My children and I have all been diagnosed with severe post-traumatic stress disorder. It manifests differently in all of us but includes depression and anxiety disorders. Our lives are tainted by what happened to us and that never goes away. I was unaware of the physical toll the violence had had on me until a couple of years ago after needing a panoramic x-ray of my face for some dental surgery. After I left the dentist and was driving home the surgeon contacted me to ask if I had ever been in a serious car accident. When I said no, she explained that I had numerous calcified and misaligned healed fractures in my face. The effect of being told this was extraordinary for me. I sat in my car on the side of the road and wept. It seems ludicrous now, in hindsight, to have been so shocked and so deeply saddened by this information, and yet it was as though someone had handed me a certificate that said 'you really were horribly abused and we can actually see that' and for the first time no one was blaming me for it. I look at my children and how they struggle with the mental health issues of growing up in a house where violence was routine and where verbal abuse was dished out constantly and I blame myself always. I live with the shame and the guilt of not being able to protect them or myself, and I live with the knowledge that the person who inflicted this damage will never answer for it.

I would like to thank the Commission for taking the time to read this submission. I hope I have contributed something in sharing my experiences with the system with you. I would dearly love to see changes in the way authority figures treat victims and I hope you reach some positive resolves.

[REDACTED]