



On the [REDACTED], I was asked to attend the [REDACTED] police station so that they could serve an interim intervention order (IIO) upon me. Since there was no Family Law Act orders and there was no written agreements regarding the children, the IIO handed my ex with the power to choose when I could see my daughters. The next day I had a letter from the ex's lawyer stating that unless I acknowledge the impact of the domestic violence I was accused of, my time with the girls would be severely limited. To begin with, I was only granted time with my daughters for the hours on the Saturday during and between their pre-committed structured activities (being [REDACTED]). At times the ex also attempted to put conditions on what I was allowed to do, for instance, I had to stay in the hall while my youngest daughter was doing [REDACTED] rather than spending that time with my elder daughter who didn't want to be watching her younger sister.

Often during these times, the ex-wife would approach within 5 meters of me or stand or sit next to my children. As, under the IIO, I was not allowed within 5m of her, I had to walk away. That made it difficult when I was looking after my children. I even had times when I was sheltering my daughter under an umbrella, but had not move away from her as the ex-wife approached within 5m. That left my daughter standing in the rain - an unusual thing for a parent to do.

The frequency and quality of time with my daughters only improved after I had initiated court proceedings in the family court. They only normalized after there were court rulings. I requested a family assessment be done to help the court determine an appropriate allocation of time for the children between their mother and father. I'm not at liberty to disclose the contents of such a report, which is conducted by a court appointed family psychologist. During a conciliation conference, on the basis of all available evidence, the lawyers and barristers decided that I should see my daughters for significant time, actually, for all the time I had requested before the domestic violence allegations were made.

The problems I'd like to see addressed are:

1. The contents of the IIO should adhere to reasonable standards of grammar. There are parts of the allegations in the IIO that are unintelligible. Given the impact on me of the IIO, I should at least be able to understand what I've been alleged to have done.
2. Given that I'm told the Family Court will always grant alternate weekends - even if they are with supervision, the Magistrates Court should make orders that are consistent with that. In my case they didn't. The Magistrate made orders that took away my access to my children (and them to me) unless the ex agreed to times and conditions. As the ex would not negotiate, I had to lodge expensive Family Court action to resolve the situation. The Magistrates' court shouldn't be making orders that the Family court will negate. It is a waste of resources, not only my resources, but also court time.
3. There should be mechanisms whereby people making false accusations can be held to account. There is a risk and reward equation involved here. The granting of the order provided the ex-wife with exclusive use of a fully owned house until I'd get the Family Court to order it sold. It also gave the ex-wife the ability to interrupt and degrade the relationship I had with my daughters - hence strengthening her case to have me only see them for minimal time in the future.
4. Her situation should have been more fully explored and clarified so that it was obvious that she didn't need such an order, or, that if she was lying to obtain such an order, that she could be held to account.
5. Her behavior should be restricted while the order is in place. There were many times when she was abusive towards me, including at my front door and in-front of the children. Under the conditions of the IIO I wasn't



allowed at that time to tell her to stop her behaviour. After one particularly bad instance, I had a letter sent through the lawyers (the only way I was allowed to communicate) telling her that her behavior was inappropriate, only to have her deny the behavior in a letter.

6. The needs of the children were not taken into account. In particular the impact on them of having the ex-wife going through the motions of being a victim – including staying at a women’s refuge during school holidays and cutting all their communication with me was quite significant.
7. I was forced to either walk away from the children and the family assets or to hire a lawyer. The legal fees cost me in excess of \$50,000. I believe she was funded by legal aid. If she was actually funded by legal aid, she had no incentive to be reasonable and attempt to negotiate a resolution.
8. I was told by two barristers, that the Magistrate would tend to err on the side of issuing an intervention order. As, if they didn’t and violence occurred they would be deemed to have been proven to have done the wrong thing. While if they issue an intervention order without any need they would not be proved wrong.

Should you need further information from me, please let me know. I’ve tried to be brief as I don’t really want to write a book about my experience. However my convictions that changes are required are very strong. I believe there are impacts outside of the Victorian justice system. My daughters required counseling through this process and were quite impacted by the events, including not seeing me. They both had significant time away from school. I was diagnosed with depression, both the psychologist and the treating doctor have no doubt that the intervention order contributed to that. I had significant sick leave from work, including unpaid sick leave. I believe I was only able to hold my job as I’d had an excellent reputation before these events took place. I believe the State Laws or their execution is costing the Federal Government money too; in areas of health, mental health and the administration of the courts.