

[REDACTED]

My husband and I live in retirement in [REDACTED] – my husband has been a [REDACTED] for twenty years and is still very active in that role.

I have included identifying names in this submission, but you may wish you redact the identities if my submission is utilized.

This is my submission:

- My husband and I had [REDACTED] children. Our first child [REDACTED], after which we had [REDACTED] sons and another daughter. Ours was a normal functional family in which we endeavored to show love and affection to our children and to assist them in every way, even after their marriages.
- Our [REDACTED] son, [REDACTED] was married to [REDACTED] on [REDACTED].
- Along with other members of our family, [REDACTED] was a loving son and he had a good relationship with us, especially with me as his mother.
- It was not long after they were married that [REDACTED] wife, [REDACTED], said to me, “[REDACTED] is too much for you and I intend to break it – in fact I will destroy your family!”
- This created an uneasy relationship until [REDACTED] finally wrote to us, using a letter written by another member of our family as an excuse, telling us she would have no more to do with us, stating at that time that [REDACTED], her husband, and their two daughters, [REDACTED] and [REDACTED], could retain their relationship with us. That was not to be. As we proved later, her intention was to separate them completely from us.
- It was not long afterwards that [REDACTED] rang me one night, terribly distressed telling me that for the sake of his marriage, he could have no more to do with us. He broke down on the phone.
- Because of this problem, it was suggested that we try mediation and in [REDACTED], after some difficulty to secure it, we had two private mediation sessions, but they were unsuccessful because the mediators were overridden and my husband and I were slandered. The second session was again a failure because of [REDACTED] lack of cooperation.
- At that time our [REDACTED] son, [REDACTED], phoned [REDACTED] to express his displeasure at the result of the mediation. Following this, because of her annoyance, [REDACTED] applied for a family violence order against [REDACTED]. It was heard in the [REDACTED] Magistrate’s Court in approximately [REDACTED]. False claims were made in the application. Both [REDACTED] and [REDACTED] husband, [REDACTED], refuted [REDACTED] serious violence allegations, but [REDACTED] was still given a twelve months order. There was no documented evidence that violence had occurred, only [REDACTED] word which even the magistrate questioned. This was the first of four orders; later on three subsequent orders were taken out in [REDACTED] Court against my husband and me.

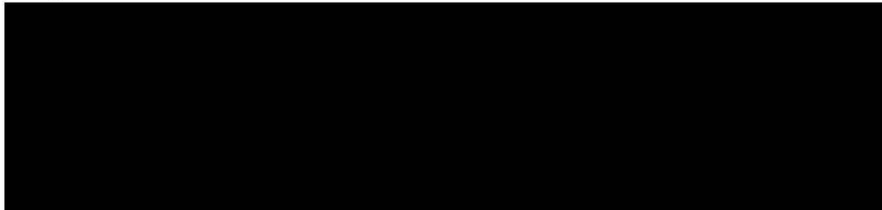
- [REDACTED] had a congenital heart condition, which necessitated three major operations, including the installation of a pacemaker. His condition was exacerbated by stress. My husband and I witnessed the extreme distress he suffered after the case in [REDACTED] Court, because the order prevented him from having any relationship with his brother, [REDACTED] for twelve months. [REDACTED] died in [REDACTED], aged [REDACTED], leaving behind [REDACTED] daughters ([REDACTED]).
- Earlier that year, in [REDACTED], after [REDACTED]'s daughter's christening, [REDACTED] again applied for a family violence order. This time it was **against me only**, and then some four days later our son, [REDACTED], took one out against both my husband and me, making it a total of three applications against us. The claims again were false, but in our absence judgment was made against us by Magistrate [REDACTED] at [REDACTED] Court, and they were for **over [REDACTED] years**, to expire on [REDACTED].
- We were unable to attend court at that time, because I had recently suffered a heart attack, and our doctor advised me not to attend. Our solicitor forwarded a letter to the court with the doctor's certificate attached. Magistrate [REDACTED] later claimed he never received the letter and certificate. This hearing was **not** adjourned and Mr [REDACTED] went ahead to make his judgment. On the intervention order it was stated that the defendant did **not** agree to this order being made so **if the magistrate had not received the letter, how could he know the defendant's thoughts contained therein?** The order was stamped by the [REDACTED] Magistrates' Court, but there was no signature to authenticate it. The Magistrate accepted the false evidence given by the claimant, evidence which we could not refute as we were not present in court.
- The orders taken out against my husband and me were deemed by a former police prosecutor, who had by then become member of the state parliament, to be frivolous and vexatious, and among other things, it was a waste of taxpayers' money.
- In 1999, the same prosecutor told us that in the preceding twelve months some fifty thousand such orders were taken out; they were no longer being used for protection but as a weapon!
- My husband and I are neither violent nor vindictive to anyone as to require such orders being placed on us. Again no documents relating to the case, factual or otherwise, existed. There were no police records relating to any "violence" etc., yet Magistrate [REDACTED] made the violence order despite **no documentation being presented as evidence**. We believe this was a miscarriage of justice for us – and it utterly destroyed our family.
- My husband's good name was besmirched when Magistrate [REDACTED] made a slanderous comment referring to him as a "man of bad character". As stated my husband is a [REDACTED] [REDACTED] – he had to have a police check to obtain that appointment, being [REDACTED] [REDACTED]. He was a councillor for [REDACTED] for [REDACTED] years, including two terms as [REDACTED] and he was also a long-standing member of the local hospital board (he is a life-member of the hospital) and member of the school council, serving as secretary. He was a member of the [REDACTED] [REDACTED] and was widely respected in the [REDACTED] Community because of his public service during our twenty-six years there.

- [REDACTED]
- [REDACTED], at the time of our **first appeal** in [REDACTED] Court in [REDACTED] influenced our eldest son, [REDACTED] to swear an affidavit against us, which was not accepted because the deponent was not present in the court. Magistrate [REDACTED] who, having brought down his judgment on the original orders, failed to disqualify himself from our appeal and then he sat in judgment **on his own orders**, promptly dismissing our appeal. As we were not present in Court when the orders were given, we were unaware then just who the magistrate was; we did not learn that Mr [REDACTED] was the Presiding Magistrate until after we left the court.
- On [REDACTED] we made another application to have the orders against us revoked. Mr [REDACTED] solicitor from [REDACTED] represented us when our application was heard in [REDACTED] Court before Magistrate [REDACTED] on [REDACTED]. On hearing the evidence he revoked the orders, stating they should **never** have been made against us. In handing down his findings Magistrate [REDACTED] commented that the letters presented as evidence by [REDACTED] were only ".....desperate pleas from loving, caring parents."
- During the last twenty years or more, we have been subjected to threats of other intervention orders being taken out against us, the latest being in [REDACTED] when with our daughter, [REDACTED], we received letters from [REDACTED], Solicitors, [REDACTED] acting on behalf of [REDACTED], threatening us with further action. [REDACTED] had not been in touch with [REDACTED], her brother, for more than [REDACTED] years. We promptly advised the solicitor of the true situation. Our experiences have been very painful and bitter.
- For many years our daughter-in-law's influence has caused great problems, especially at family gatherings such as birthdays, christenings, Christmas etc. Our integrity, reputation and standing within our family, and in wider circles, have been destroyed and our health has suffered tremendously.
- We have learned that [REDACTED] and [REDACTED]'s daughter, [REDACTED] is now married with [REDACTED] daughters. We have lost our relationship with all of our sons, [REDACTED] of our grandchildren and now [REDACTED] great-grandchildren because of a vindictive person. [REDACTED] and [REDACTED] ([REDACTED]'s widow) gave personal instructions to the respective schools and colleges of their children; that we were to be prevented from having any contact at all with their children, our [REDACTED] granddaughters. [REDACTED] others of our [REDACTED] grandchildren have also been denied any relationship with us who, as grandparents, have a legal right to have a relationship with them.
- We want our story told with all the information revealed, because the perpetrator has acted fraudulently, gaining orders on false information with one purpose in mind – to destroy us. We believe our sons were coerced into taking the position they did, and what has happened over the years is the result of envy, hatred, jealousy and malice. This submission may help others from being unjustly treated in this way.
- [REDACTED]'s influence has gone beyond our immediate family and far beyond her husband's siblings. Members of our extended family and others have also been influenced by [REDACTED].

- Our daughter, [REDACTED], and son [REDACTED], until his death in [REDACTED] have been the only ones of the family to stand by us throughout this whole ordeal.
- My husband is [REDACTED] and I am [REDACTED]. We have suffered a great deal of heartbreak for over twenty years; we believe we have been the victims of aged-abuse and have been put through hell. As has been stated these orders should NEVER have been taken out against us.
- We will never get over what has happened, because of a rogue family member and the judiciary which failed us, especially when we see photos and other memorabilia relating to our family, still distresses us greatly.

In conclusion, my husband and I believe that these orders should not be given out like confetti. They can have a devastating effect on the recipients, as we have found out with our health being greatly affected. The Court must exercise careful judicial power in such matters. We are collateral damage of the highest degree. The Court should not just default to the applicant.

Yours faithfully,

A large black rectangular redaction box covering the signature area.