

**Submission to the Royal Commission
Into Family Violence in Victoria**

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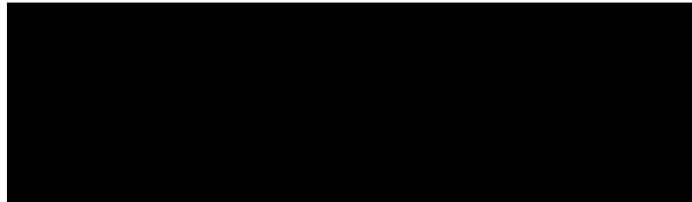
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Case Study of Jessie* and Jackie* (**not their real names*)

This story happened in [REDACTED], to a middle class family. A widow remarried when her daughters, Jessie and Jackie, were about [REDACTED] and [REDACTED] years old respectively. A year later the new husband, who has an older child from a previous marriage, officially adopts the two young girls and becomes their legal guardian, and their birth certificates are changed to reflect that he is now their dad. A social worker report given in as part of the adoption proceedings says that the family seem happy and well-behaved and that he will make a good dad to the children. The dad is now their parent and the children refer to him as Daddy.

The dad seems to have two sides to him. He is friendly and jovial and appears to be well-liked by people. He works full-time in an office desk job during the week and he regularly attends a sports club. In spite of his charm, he seems to have low self-esteem regarding his appearance because he hates to have his photo taken. When things don't go to plan for the dad, he sulks. He will go for days without speaking to people, and often he won't mention why he is in a bad mood. This side of him is in stark contrast to his good, seemingly amenable side. He is openly critical of his wife when in public and makes disparaging remarks about her, making her the object of some of his jokes. The mom is quiet and self-effacing and she allows the criticism. In later years, the mom is obviously emotionally unwell, beset with depression and she abuses prescription medication.

During the first part of their childhoods, the two girls remember their dad as indifferent towards them, even morose at times. He believes in the old mantra that "children should be seen and not heard". However, this changes when the girls begin to undergo puberty, and their dad begins to take an interest in them. It's as if he now sees them as people he can relate to, whereas before they were merely objects of little interest to him. Though Jackie is younger, she looks older than Jessie. When Jackie is about nine years old, she is asked to accompany her dad on a walk alone, and during their time away from the house, he asks her if he can show her "the facts of life". She agrees, though she said later that she had no idea what this meant. He took her back home and sexually assaulted her. Jessie's experience is slightly different in that the dad took advantage of an opportunity presented to approach her, and this happened at about the same time as Jackie's experience. When Jessie was about ten years old, she was in the process of getting changed one day after swimming, and her dad walked past her bedroom door, which she hadn't thought to close. Her dad asked if he could check to make sure that her breasts were okay, and she agreed – shortly before this, she had expressed concern to her mom about her newly developing breasts, but the problem was explained as normal due to puberty. Jessie ran off to tell her mom about this event with her dad afterwards because she didn't understand exactly what had happened. Her mom then shouted at the dad never to do that to Jessie, and he later expressed his anger in private to Jessie for telling and told her it should have been a secret. Some time passed after this, but when a boy visited one day and playfully ran after Jessie dressed in her bathing suit at the pool, her dad approached her again and said he'd seen the boy run after her and that she didn't need the boy, that he would show her "the facts of life". He told her this was to be a secret. Jessie never told anyone, including her mom, that the abuse had started again.

The dad abused the two sisters at opportune moments over the years until they were adults, and even beyond. Sometimes he would make use of an opportunity that presented itself, for example, if he found one of them alone in the kitchen, and at other times he engineered situations by asking one of them if they'd like to accompany him on a trip away from the home. The dad seemed loving towards them if they went along with his requests. Jessie however often said "no" to her dad's requests, and then he would ignore her for days. He didn't tell her that this was what he was going to do, but she soon realised that this was

the pattern, and when she could stand the silence no more, she relented and went looking for him and told him that he could abuse her and he then looked pleased. Whenever she went along with his requests, he told her he loved her and that she aroused him. Her dad promised to repay her *in kind* if he deemed she owed him something for a kindness shown, and she soon learnt that *in kind* meant he expected some form of abuse as reward. But her habit of saying “no” to many of his requests probably saved her from the abuse escalating to penetration, though he did use oral sex. Jackie seemed to experience worse abuse, judging by the hints that she let slip over the years, and Jackie became a disruptive presence in the home. She fought with everyone and hit people, especially her mom, and she came home drunk. According to her recollection, her dad penetrated her numerous times, even into adulthood when he would visit her wherever she stayed. The entire family and extended family eventually turned against Jackie in hatred and they blamed her for their problems. On one occasion, Jackie’s mom asked her to leave the home when Jackie was probably only about twelve, and she had no idea where to go. She stayed initially with a school friend, but eventually wandered from home to home, being taken in by adult men who said they would help her but who abused her too, but she continued to attend school. Eventually she came home again when her mother could trust her to keep the peace.

Throughout her childhood, into adulthood, Jessie kept secret the fact that her adoptive dad abused her. Jackie on the other hand, seemed to hint at the abuse over the years, but this was ignored by the family and other people. Jackie was expelled from school in Grade Ten for being disruptive and for missing too much school-time, and she changed schools. Jessie felt sure that Jackie was being abused, and Jackie was sure of the same too, but they never discussed this with each other. Likewise, they both felt sure that their mom knew about the abuse, though they didn’t ask her either. Their general sense was that adults around them suspected the abuse, but chose to pretend it didn’t happen. The two sisters felt anger at their mom for not protecting them, yet Jessie acknowledged that she never told her mom that the abuse continued. On the other hand, Jessie protected her dad from discovery. If he had her alone in the kitchen and someone approached, for example their mom, the dad would normally not hear the person coming because he was hard of hearing, but Jessie would make sure to move away from him. She was afraid of him being caught out and she also felt shame and guilt. Jessie expressed fear as to what would happen to the family if her dad, the main breadwinner, was arrested. Jackie always told her dad that she didn’t enjoy the abuse, but he continued nonetheless, unless she cried, then he’d leave her alone but he would sulk. Jackie seemed to go along more willingly with her dad’s requests, but in later years she said that she could never say “no” to a man, she didn’t know how.

When Jackie was about fifteen, she began to see a psychologist at the family doctor’s recommendation because the doctor thought she seemed stressed. Her dad drove her to the weekly appointments and asked her to keep the abuse a secret. At the psychologist’s referral, Jackie began admissions to a psychiatric institute for treatment for bulimia. She said she told the nurses there about what was happening at home, but they all ignored her story. Later during therapy, the story of her abuse came out. Jackie pleaded with the psychologist not to alert any authorities and he listened to her. He phoned her mom instead, and Jackie spoke to her mom and told her about the abuse. That night, her mom tried to commit suicide, and she overdosed, and it took a few days in hospital for her to recover, but she lived. There was talk for a short time after that of the mom divorcing her husband, but in the end she didn’t, and the abuse continued.

Response to Question Six:

What circumstances, conditions, situations or events, within relationships, families, institutions and whole communities, are associated with the occurrence or persistence of family violence?

- Families may protect the abuser from discovery: Victims often say they love the abuser (Stockholm Syndrome), and they usually do love the abuser's good side. The abuser could also be the main breadwinner so they fear being unable to cope financially without the person.
- Learned helplessness: The family may feel they will be unable to cope without their abuser, and they prefer a situation that they know to the unknown of what might happen if they leave the situation – Jackie expressed a fear of being taken away by child protection services and she preferred to stay with what she knew. Their mom was mentally ill and the mom may have felt unable to cope and to earn a living without her husband.
- Keeping quiet due to shame at what others will think about the circumstances they live in because that is their family's life: people who live in abusive situations often feel enormous shame that the story may be uncovered and also guilt that they've allowed it to continue.
- Abuse happens on a non-verbal level: There is lack of open discussion and communication - Jackie and Jessie never spoke to each other as children about what they each experienced, and they never openly discussed the situation with their mom or other people either. They didn't think to speak about the situation, as if they just accepted that this was their way of life, and they knew no other way.
- The family may close ranks: a family who experiences sexual violence is often closed off to regular visitors who may uncover the dynamics.
- Honouring requests made by the abuser to keep the secret of what's happening.
- Natural justice: people within the family and within the community don't want to act unless there is definite proof, and sexual abuse especially is a crime of secrecy, and also people seem to prefer to deny the possibility of sexual abuse, even when there are obvious signs and hints.
- Not being believed, or thinking there's no point in telling: Jackie said she tried to tell people for years, for example, when she was admitted to the psychiatric institution for bulimia, but when someone did finally believe her - the psychologist - Jackie begged him to protect her dad, and unfortunately the psychologist listened to her request.
- Lack of prosecution: following on from the point above, the psychologist should have reported Jackie's Dad when the psychologist heard about the sexual abuse, and hopefully police would then also have prosecuted her abuser.
- Not knowing who to tell or how to get help: people within the family often lack support networks; a lack of trust in the people around them and in the authorities to assist; a lack of confidence that the situation will work out successfully should the situation be uncovered.
- Children especially will tell other adults only once or twice about a problem situation, e.g. sexual abuse or bullying, and then may give up when this isn't successful or when they aren't believed.
- The victim being seen as more to blame for the situation than the abuser: Jackie's mom asked her biological daughter to leave the home when Jackie caused trouble, instead of finding out what was happening and then asking the abuser to leave.

Response to Question Seven

What circumstances and conditions are associated with the reduced occurrence of family violence?

- A culture of respect between husband and wife and within the family: Children need to be taught from a young age that it is never okay to hit anyone. They should be taught to verbalise their feelings and to control their emotions instead. Children need to be taught manners, caring, and respect for other people. They should be taught what the wrong behaviour looks like and to speak out when they see bullying and abuse happen, and speaking out to help others should be rewarded.
- Open communication channels: much happened within Jessie and Jackie's family, and the children and mother just accepted this without speaking about it to each other or to anyone else.
- Integration and acceptance of the family within the wider community: it is harder for abuse to thrive in a transparent system where there are more eyes.
- Children being taught to say "no" to sexual abuse requests and to tell an adult as soon as this happens: Jessie often said "no" to her dad, and this spared her from some of the abuse, though with the emotional manipulation she experienced from her dad she still couldn't avoid all abuse, but Jackie went along with the abuse and was a greater target.
- A zero tolerance within the community of family violence patterns: People need to speak out when they see abusive situations unfold in front of them. I went to church and a strange man sat a seat away from me, and he stretched out his arm over the back of the seat right behind me, and he thus invaded my personal space. The first time he did this, I moved away. The next week he did it again, from a couple of seats away, and in spite of me protesting about this within earshot of a few people, no-one said anything. The man told me to stop causing a scene and I told him that if he tried that again I will call 000. I do worry about my safety there now, but he hasn't tried that again and I hope he hasn't found another target.
- Prosecution: Don't ignore a report of family violence as an isolated incident. I often read that police have visited houses where family violence was reported, but they chose not to arrest the perpetrator who then later murdered the wife. People who are responsible for family violence are dangerous people because they lack self-control and given the right circumstances they may hurt a large group of people especially if they are triggered. I should probably have called 000 the second time the man approached me because it probably wasn't a random incident then. I told a couple of people at church about the man, and I called a leader over at the time too, but the man was ignored, and thankfully I don't think he has returned to the church, but I don't know if I'd recognise him either.

Response to Question Eight

Tell us about any gaps or deficiencies in current responses to family violence, including legal responses. Tell us about what improvements you would make to overcome these gaps and deficiencies, or otherwise improve current responses.

Largely as per the response to question seven above:

- People often turn a blind eye to family violence, preferring not to get involved: There needs to be a zero tolerance within the community of family violence patterns. People need to speak out when they see abusive situations unfold in front of them. I went to church and a stranger sat a seat away from me, and he stretched out his arm over the back of the seat right behind me, and he thus invaded my personal space. The first time he did this, I moved away. The next week he did it again, from a couple of seats away, and in spite of me protesting about this within earshot of a few people, no-one said anything. The man told me to stop causing a scene and I told him that if he tried that again I will call 000. I do worry about my safety there now, but he hasn't tried that again and I hope he hasn't found another target.
- Lack of punishment / prosecution: A report of family violence may be treated as an isolated incident. I often read that police have visited houses where family violence was reported, but they chose not to arrest the perpetrator, who then later murdered the wife. People who are responsible for family violence are dangerous people because they lack self-control and given the right circumstances they may hurt a large group of people if the right triggers are set off. I should probably have called 000 the second time the man approached me because it probably wasn't a random incident then. I told a couple of people at church about the man, and I called a leader over at the time too, but the man was ignored, and thankfully I don't think he has returned to the church, but I don't know if I'd recognise him either.

Response to Question Eleven

What are some of the most promising and successful ways of supporting the ongoing safety and wellbeing of people affected by violence? Are there gaps or deficiencies in our approach to supporting ongoing safety and wellbeing? How could measures to reduce the impact of family violence be improved?

- Perhaps ongoing monitoring of adoption might avert similar case studies: based on Jessie and Jackie's story of sexual abuse after adoption, ongoing monitoring of their situation might have averted, or stopped, them being sexually abused by their adoptive dad.
- Monitoring mentioned above should potentially cover all situations where children aren't with their biological parents, including children adopted by step-parents, perhaps even children placed or adopted by extended family members, children adopted from overseas sources, which might bypass some of the more strict adoption laws in Australia, and children obtained via surrogacy. The Dad of baby Gammy, the

baby left behind in Thailand, has apparently been convicted of sexual assault, yet he was able to take Gammy's sister home and he isn't being monitored, as far as I am aware, though he was spoken to. Similarly Australian Peter Truong, a now convicted paedophile, obtained a boy child with his male paedophile partner through a surrogate and then he apparently used the young boy to create child pornography for international distribution. Similarly Bill Spedding is alleged to have kidnapped William Tyrrell, and Bill Spedding apparently had three young boys in his care until recently, I assume whom he fostered, yet in 1987 Bill Spedding is alleged to have sexually assaulted two young girls but charges were never pursued against him because the police said they did this in order to protect the two young girls, yet if Bill Spedding had been prosecuted, and if he is responsible for the disappearance of William Tyrrell, then William might still be around today.

- A system of record keeping of family violence incidents might assist in eradicating problem behaviour, similar to the demerit system for traffic vehicle infringements – I think New South Wales is implementing such a record keeping system.

Response to Question Eighteen

What barriers prevent people in particular groups and communities in Victoria from engaging with or benefiting from family violence services?

How can the family violence system be improved to reflect the diversity of people's experiences?

- **Cost and continuity:** A wide range of mental health services are available to people in Australia, and many services are free, however the most specialised services, for example seeing a psychologist on a regular basis, is cost prohibitive. Not mentioned in the case study is that Jessie attempted to access mental health services in Australia many years after her abuse ended. She saw a counsellor twice a month for about seven months, whom she paid. She then decided she needed more specialised assistance because she had developed agoraphobia, which the counsellor didn't assist her with, but when she first saw a psychologist in Australia, who didn't seem to have any training in dealing with adult survivors of sexual abuse, Jessie was told that she would need to see the psychologist privately, which she couldn't afford to do. She then spoke to a few different services, one being a sexual assault support group, who presented her with paperwork that requested probing questions, which she didn't want to answer before she felt she could trust that the provider had her best interests at heart, and they also told her that while she might be referred to a counsellor at their centre who she could see for free, she might also be referred on to another service if deemed necessary.
- **Trust:** Following on from the above, Jessie lost confidence in the system. She had expected to access a mental health service provider and be helped by them to overcome her previous trauma and current agoraphobia, but instead she discovered that she needed to search for a health professional or a specialised service provider who understood trauma and sexual abuse.
- **Continuity:** perhaps if the single sexual assault service provider that Jessie approached had been part of a wider umbrella of services – a single place to access all needed mental health services, under the auspices of one family violence brand – then Jessie wouldn't have felt she might be rejected from a place she approached, to be sent possibly to another provider, though that surely was never the intention.

General Questions

Response to Question Twenty-one

The Royal Commission will be considering both short term and longer term responses to family violence. Tell us about the changes which you think could produce the greatest impact in the short and longer term.

Largely as per the response to question seven:

- Education about the dynamics underscoring family violence: educating all sectors of society, and making this part of the school curriculum.
- Following on from the point above, teaching children to say “no” to sexual abuse requests and to tell an adult as soon as this happens: Jessie often said “no” to her dad, and this spared her from some of the abuse, though with the emotional manipulation she experienced from her dad she still couldn’t avoid all abuse, but Jackie went along with the abuse and was a greater target.
- Fostering a culture of open communication: much happened within Jessie and Jackie’s family, and the children and mother just accepted this without speaking about it to each other or to anyone else.
- Fostering a culture that rewards whistleblowing of abuse: currently it seems if a child says that they are being bullied, then they are often told by teachers to ignore the problem in the hopes that it will come right by itself, or that they will learn to deal with bullies on their own, and the same may happen with abuse.
- Fostering a culture of respect for others: Children need to be taught from a young age that it is never okay to hit anyone. They should be taught to verbalise their feelings and to control their emotions instead. Children need to be taught manners, caring, and respect for other people. They should be taught what the wrong behaviour looks like and to speak out when they see bullying and abuse happen, and speaking out to help others should be rewarded.
- Integration and acceptance of the family within the wider community: it is harder for abuse to thrive in a transparent system where there are more eyes.
- A zero tolerance within the community of family violence patterns: People need to speak out when they see abusive situations unfold in front of them. Families must know they need to report problem behaviour.
- Prosecution: A report of family violence mustn’t be ignored as an isolated incident. The criminal justice system must treat family violence as a serious offence. I often read that police have visited houses where family violence was reported, but they chose not to arrest the perpetrator, who then later murdered the wife. People who are responsible for family violence are dangerous people because they lack self-control and given the right circumstances they may hurt a large group of people especially if they are triggered.