

In response to Question Eight: 'Tell us about any gaps or deficiencies in current responses to family violence, including legal responses.'

I would like to share my experience as a victim of family violence and the response I received between the dates of [REDACTED] and [REDACTED] when I was a party to proceedings in the Family Court of Australia in [REDACTED].

I provided the court with evidence of my ex-partner's violence: both physical, emotional and financial. I provided a doctor's report that detailed the physical violence, letters from Women's Refuges that myself and [REDACTED] had stayed in repeatedly, plus reports from counsellors, social workers and family violence counsellors.

Despite this evidence, the court-appointed Family Consultant in the Family Court of Australia in [REDACTED], [REDACTED], dismissed my evidence. Not only did she dismiss my evidence, she came to the conclusion, based solely on the father's unsubstantiated affidavit, that I'd imagined his violence and alcohol abuse, 'used refuges like hotels' and that in fact, I was responsible for his violence.

The Family Consultant misinterpreted my answers, uncritically replicated the grievances and unsubstantiated claims of my ex-partner and minimised, denied and then finally implicated me in the escalating incidences of my ex-partner's emotional, verbal, physical and financial violence.

She further stated that I was not the victim of intimate partner terrorism, but was instead an active party to 'Situational Couple Violence'.

In the relationship I was subjected to the form of family violence called Intimate Terrorism, where my ex-partner used emotional abuse, such as name-calling, putdowns, threats, mind games, and humiliating me. He used physical abuse such as hitting, punching, kicking, shoving, using household objects as weapons, spitting and strangling. He used coercion and threats, such as threatening to commit suicide, to have me sectioned in a psychiatric institution and tried to coerce me to lie to the government for child benefit payments. He also used financial control where he often refused to give me my half of the child benefits and made me ask him for money.

He has also repeatedly used the techniques of minimising, denying and blaming by shifting responsibility for his violence by claiming that I provoked his violence and that he acted in self-defence. With Intimate Terrorism, the physical abuse generally escalates in severity and frequency and, as in my case, most women do not attempt to fight back.

In contrast, situational couple violence is when couples who don't know how to communicate resort to verbal name-calling and physical abuse. Both parties participate in the violence. The violence doesn't escalate but occurs in waves. Arguments escalate into violence but are not an attempt to exert general control over the other partner.

In my situation, the violence did escalate, I did not fight back (except on one occasion), and my ex-partner was using established techniques to exert control. A significant, and well-known marker of Intimate Terrorism is the use of denial, minimising and blaming the violence on the other partner.

When [REDACTED] interviewed me, she repeatedly asked me what my 'responsibility' was to the violence in the relationship. I answered using the answers that I had received through family violence counselling: that it wasn't my responsibility that my ex-partner used violence, and that he chose to use violence and it was his responsibility. By the third time [REDACTED] asked this question I was perplexed by her persistence and asked her what her position was on family violence. She was flabbergasted that I asked this question and could not provide a response.

In [REDACTED] report, which was a record 72 pages long, it was full of vitriol towards me, and how I refused to take responsibility for my ex-partner's 'imagined' violence.

I couldn't believe it. She had interviewed the father for an entire day and a half, and interviewed me for less than two hours, rushing me along, stating that she had to speak to the father again.

I felt that the Family Report was entirely biased against me, and that my evidence was dismissed. This made me extremely upset when I received the report, and felt to me like the court was complicit and participating in my ex-partner's violence.

In Court, Her Honour Justice [REDACTED] became antagonistic towards me after the publication of [REDACTED] report. Her Honour's attitude entirely changed towards me and became condescending and dismissive. At one stage Her Honour actually suggested that my ex-partner should apply for a 'change of residence' for [REDACTED], and that I was a 'deficient mother'.

I had to attend to the same Family Consultant again in [REDACTED], and again [REDACTED] was aggressive in dismissing my evidence of my ex-partner's violence. In her second report, she stated that I was caught up in the myth of violence, that that she had already dealt with in the first report and that it was 'imaginary.'

By this stage I was not expecting to be heard fairly either by the Family Consultant, or by the Judge.

I believe that Family Consultants should not have immunity from being criticised. When I asked what I could do to complain about [REDACTED] unprofessional conduct, I was only told that Family Consultant's have a judicial-like immunity and the only way to challenge them was in court under cross-examination.

I had no legal representation, and Her Honour Justice [REDACTED] was already hostile towards me, and I felt that to cross-examine the Family Consultant myself was only going to increase the hostility and provide an even worse outcome for [REDACTED] and myself.

I chose not to cross-examine [REDACTED], but felt entirely gagged by the system. I had no right to question her findings, and was effectively voiceless. My ex-partner's violence was minimised, and I was made out to revel in the 'narrative of the helpless victim'. [REDACTED] dismissed my doctor's report that I had been treated for PTSD because of my ex-partner's violence and said instead that I had made up all claims of being afflicted with PTSD.

I believe Family Consultants like this need to be made accountable and to know that their prejudices, theories and jaded experience need to be reviewed and changed so that female victims of male violence are not further traumatised by going through the Family Court.

I felt that the Family Court added to my trauma, and added to the abuse I'd already suffered. It was bad enough that my ex-partner committed the violence, and then lied about doing it, but that the court believed him and vilified me.

The Family Court of [REDACTED], in particular the Family Consultant, [REDACTED] and Her Honour, Justice [REDACTED], validated and encouraged my ex-partner's violence and further traumatised me by denying that I'd been a victim of family violence.

Her Honour then made a special provision in the orders that I was gagged from talking about this experience in any way, meaning that this Royal Commission is the only way that I can express how deeply flawed and demeaning the Family Court of Australia in [REDACTED] is to victims of men's violence towards women.

I will never be the same after this experience. It has destroyed any faith I have in the judicial system, and makes any talk about improving the lives for female victims of male violence mere rhetoric. It has also emboldened my abusive ex-partner, whose threats and emotional abuse continue unabated, as he knows that he can always lie to the courts and be believed.