



## **Additional Evidence for the consideration of the Social Policy and Legal Affairs Standing Committee.**

In oral submissions, Domestic Violence Advocacy Australia (DVAA) argued for a national shared understanding and diagnostic criteria of what constitutes domestic violence (DV). There is an urgent need to adequately adjudicate, rapidly identify perpetrators and the risk of harm to victims and their children who are forced to maintain relationships with an abusive parent and the risk to a victim when forced to coparent with a perpetrator within the Family Law System (FLS), which is currently centered around a pro contact culture.

***The adaptation of the Victorian Multi Agent Risk Assessment and Information Sharing (MARAMIS), is based on global-best-practice evidence should be used at the onset of engaging with the Family Law and allowed into evidence - unlike the current system where the Lighthouse Intake interview is not allowed to be communicated with the Judiciary. The adaptation of the MARAM could prevent the weaponization of family law, escalation of violence and critically allows for the identification of primary perpetrator and victim.***

We provide the supplementary submission, data and analysis which will identify how frequently the court is getting it wrong, the importance of the inclusion of a MARAM in the system and the perils the court, and Government leave children and victims of DV in. Which has a lasting harm, continues DV through generations and will not assist the lofty goal of ending gendered violence within a generation.

The MARAM Framework available for use ONLY in Victoria aims to achieve system-wide consistency in identifying, assessing and managing family violence risk. MARAMIS was realised in legislation in Victoria post the Victorian Royal Commission in 2018. MARAM importantly allows for information about risk to be shared between agencies. It is based on global evidence and can diagnose domestic violence. The use of this tool, by those who are trained could significantly aid the family law system to reduce the incidence of incorrect labelling of domestic violence as situational violence, a term favoured by the 'contact at any cost' culture of Family Courts.

Family Violence is defined within the Family Law Act 1975 at Sect 4AB. Yet, in spite of this clear definition which includes defining children as victims, expert report writers, judicial officers and Independent Children's Lawyers (ICL's) routinely dismiss significant acts of DV as 'Situational Violence.' They also ignore evidence given by, Police, child protection, long term psychologists and social workers who are specifically trained in domestic violence, have qualifications which are beyond a two-week mandated training course.

### **A culture of minimisation of family violence in the Family Court**

In a rudimentary analysis of cases of family law matters, 40 cases referred to the term 'situational violence' in their judgments, extracts and order summaries of the 15 most recent cases available on Westlaw are included as **Appendix 1**. This demonstrates a misconception within the Family Court that violence that occurs during the relationship is unlikely to continue after court orders are in place. Judicial officers in these cases assumed the conflict would cease as a result of the orders made, and made orders of equal shared parental responsibility (ESPR) – forcing victims and perpetrators into making long-term parenting decisions about the children together. In some cases, they awarded care of the children to the perpetrator or gave substantial 'time with' order to the parent who is using abuse.

Family Court is effectively tying victims of abuse to their abuser and allows the perpetrator to continue to expose children to the harms of domestic violence and leaving the protective parent (the victim) also exposed.

This long term exposure of the children to domestic abuse fails to acknowledge children as legitimate and wholly victims in their own right. It fails to afford them protections which should be laser-focussed on their welfare. It does not allow the child to heal, to understand or to be shielded from the well-known harms of domestic abuse. Even if they're not the primary victim. In most cases a perpetrator will use the children as vehicles to continue the abuse, minimisation and harm to their primary victim. Usually, and in most cases the child's mother and the primary attachment.

The aspect of family violence that should be a key consideration in the Family Court and is too often overlooked is intergenerational violence. "The intergenerational transmission of violence refers to boys modelling abusive fathers' behaviour towards women" (Howard, 2011). **Appendix 2** discusses Australian research that demonstrates the ramifications of the current system that perpetuates intergenerational familial abuse, in the teenage cohort. We propose that if similar longitudinal studies were conducted we would see similar patterns emerge for those suffering the effect of elder abuse and the link to domestic violence in childhood.

These patterns and cycles could be broken with the use of MARAM, to identify domestic violence and more importantly judgments which are protective of the children, who should be seen as victims, not as mere bystanders or witnesses of their parents' use of abuse, control and violence.

### **Access to justice when Family Court gets it wrong**

The Family Law System is not without mistakes, and gets it wrong for victims of domestic violence far more frequently than it gets it right. Which is evidenced by the innumerable changes and tinkering to the Family Law Act and frequent inquiries/reviews into it. This inquiry has been number 67 since 1980. 67 inquiries in 44 years would suggest to any fair minded person that this is a system which has been flawed since its inception in 1975.

Within the family law system and when faced with a situation of injustice as a victim, such as family violence being ignored or overlooked or minimised or misidentified the only avenue for review is a costly appeal where the Family Law Court investigates and oversees the Family Law Court and its own colleagues. This is the **only** legal jurisdiction in Australia where there is no higher court in which to hear an appeal, with the exception of the High Court which has an unattainably high bar for entry and in both cases an appeal is prohibitively expensive. This is further loss of control for a victim who has suffered immensely throughout an abusive partnership which they are trying to separate themselves from. The system in its current form, deters victims leaving abusive relationships in fear of the systems abuse that is well known to continue in family court.

### **Self-reporting family court data from victims**

The following data sets were collected from November 2022 - March 2023 from 196 participants who responded to a survey conducted by DVAA.

Question 2, sought to understand the gender of the participants. 154/196 participants were female.

Question 8, asked participants if they had experienced family violence, 167 or 86.08% responded yes and that they had made the court aware of this violence.

Question 9, asked for identification of perpetrator or victim/survivor, 182 identified as the victim, 6 as the perpetrator and 8 skipped the question.

Question 14, sought to understand barriers to Family Court, more than 70% said domestic violence not being acknowledged, 85% cited cost, and 61% said parental alignment had occurred.

Question 15, the type of violence where multiple answers could be given ranged from sexual violence 70, physical 119, financial 120, coercive control 147, emotional 159.

Question 16, all participants were asked to provide a summary of their Family Court experience. No positive feedback was provided. **Appendix 3** It is a critical shortcoming of the court to not provide any follow up evaluations of outcomes, how many times orders are breached and how many DV victims have to return to court during their child's lifetime.

### **Cycles of abuse**

The processes of the court system further perpetuate family violence. It creates opportunities for perpetrators to exploit the victim. In all relationships where there is domestic violence there is an unequal balance of power. The Family Court system is an enabler of continued abuse without accountability for perpetrators in the current system, with the Court's current understanding of family violence. A cohesive common understanding of family violence would prevent the perpetrator from continuing to exercise power and control in the Family Law System

To be a safe system for victims of family violence, the victim needs to be reassured that the system will not tolerate further abuse. Disclosures of family violence should not be ignored by the court, or downplayed as 'situational'. The burden financially and psychologically to make it to a final hearing is considered not worth it for most victims and the worst DV offenders will offer their victim no alternative, refusing to come to agreements in mediation, refusing to abide by directions of the court, both during hearings and when final orders are made. This can be stopped by the courts if they adopt a tool such as the MARAMIS framework and risk assessment that is used to identify and diagnose family violence at the very onset of family law proceedings.

If there was a MARAMIS style evidence based diagnostic tool of domestic violence used in all family matters, both parenting and financial, then this would certainly prevent this continued abuse and reduce the ongoing impact of trauma on the victims and their children.

Domestic Violence Advocacy Australia holds significant concerns about family violence victims within the Family Law System. A system which has increasingly been weaponised by abusers since the changes of 2006 made under the Howard Government.

There has been great harm done by the 2006 reforms, which is evidenced by the recent law changes. DVAA calls for the Government to consider apologizing to victims affected by the continuous changes in Family Law Act which has seen perpetrators given significant power.

DVAA also reiterates their desperate concern that there is no research, no exit surveys and no ongoing contact with cases in the family court regarding the success or in most cases the failure to protect the ongoing well being of children and victims of DV.

We commend this work to the committee, and wish you well in your deliberations. We do not believe that the work of supporting, believing and not re-traumatising victims in the Family Law System ends with this inquiry. It is a significant barrier for victims of Family Violence and we look forward to continuing our advocacy for the victims we represent.

Warm regards,

Emma-Jane Husar  
Founder and Co-chair

Rivka Martin  
Co-chair

Lara Glasson, *student at law*  
Secretary

## Appendix 1.

### Cases where family violence was downplayed and referred to as 'situational violence' in parenting matters.

40 judgments published in the Thomson Reuters Westlaw database have used the term 'situational violence' to categorise acts of family violence between the parties. Extracts of the 15 most recent cases are set out below. There are many more cases where the violence is downplayed, blaming stress in the relationship without recognising the impact it has on the primary victim and their children.

#### *Ramsden v Darnell* [2023] FedCFamC2F 455 (Judge Kearney)

'For X, she is now in year 1 at P School and, if she was to live with the father, she - it was an agreed - well, it - sorry, it was not agreed - it was acknowledged that she would have to change schools and the father said that she would likely go to B School. From the father's perspective, there is no doubts that he has contravened ADVOs and that he has been a perpetrator of family violence

himself, but it seems to me that the incidents of violence and/or the breaches have been in a very confined space of time which, as the counsel for the ICL described, is **situational violence**. It is family violence, nonetheless. But in terms of risk, he is in a different situation to the mother.’ [103]

FV in Mother’s new relationship – Mother failed to protect X from FV whilst in the new relationship. Several contraventions of ADVOs allowed by Mother.

#### ORDERS

Equal Shared Parental Responsibility (ESPR)

Child to live with Father and spend time with Mother.

#### *Rochford v Fitzhugh* [2021] FCCA 451 (Judge Laphorn)

‘Although there were issues between the parties that led to the mother obtaining a temporary protection order in 2018 she did not pursue her application. Both parents told Ms L that they were not fearful of the other, although the father was concerned that the mother may make false allegations of family violence against him. I am satisfied that the parties experienced **situational violence** at the end of their relationship but this is not a current concern and is unlikely to be so in the future. For that reason I will not address the evidence in relation to the historic acts of controlling behaviour alleged by the mother against the father.’ [47]

#### ORDERS

ESPR - Child lives with the Mother, spends substantial time with the Father.

#### *Laconte v Calcott* [2020] FCCA 1498 (Morley J)

‘I have made a finding that there was a single occasion of family violence, which occurred on 11 February 2016. Accordingly there are reasonable grounds to believe that the father has engaged in family violence. It is what may be termed a minor incident of family violence and because it occurred within weeks of the parties’ separation it may be **situational violence**. Indeed with both of those considerations as they stand, [section 61DA\(2\)](#) of the Act provides that the presumption does not apply if there are reasonable grounds to believe that a parent of the children has engaged in family violence.<sup>82</sup> The section does not talk of degrees. Accordingly, I find that the presumption does not apply. [140]

However, both parties seek an order on the interim basis that they have equal shared parental responsibility for the children. The incident of family violence is not such that it would lead to a finding that it would not be in the best interests of the children for the parents to have equal shared parental responsibility. Though the tensions between the parents are reflected in the evidence, most particularly in the evidence given by the mother of occasions that she asserts amount to family violence (though I have found that they do not), some consideration should be given to whether or not it is a practical reality that the parents have equal shared parental responsibility. [141]

Much of the tension between them would seem on the evidence to be consequent upon the lack of time spent by the father with the children. These orders will begin to address that and to take the regulation of such occasions out of the hands of the mother. On that basis, I find that the parents, both being highly intelligent persons and having shown that they are capable of arranging occasions of time for the father with the children without orders, are capable of communicating so as to satisfy their statutory obligation to consult in relation to matters going to the children's long-term care, welfare and development and to make their best efforts to reach agreement. [142]'

#### ORDERS

ESPR – Children live with Mother Supervised visits initially with time increasing and unsupervised

#### *Franner v Harkness* [2020] FCCA 627 (Judge McGuire)

Each of these parents sought to emphasise family violence, within its broad definitions in the legislation, in this matter. Nevertheless I prefer to see family violence here more in its contextual nature and particularly given the emotions of the relationship breakdown between these two parents. As such, and whilst the personal relationship between these parents remains antagonistic and suspicious, the manifested instances of violence might be seen as more situational than entrenched. Again, much time and effort was put towards one incident in March 2019 involving the husband and Mr L. The surrounding circumstances, however, are again suggestive of **situational violence** rather than innate characteristics. Both of these parents have now re-partnered. In a sense they have or are moving on from the demise of their own relationship. There are indications by both of them in the witness box of a greater sense of insight into the need to protect their children from the conflict still potential in their own relationship. [63]

There is a toxic and conflictual relationship between these parents. Undoubtedly there have been instances of family violence within the broad definitions of that term. Nevertheless and with the flux of time following the demise of their relationship, I am confident that these parents will be able to shield the children from these adult issues. In this respect, the husband must still address his insight into the impact on the children by exposure to the adult conflict. I am not satisfied that he has currently achieved such an insight. [80]

Both parents seek an order for equal shared parental responsibility for the children. Whilst the presumption at s 61DA might not strictly apply here, I have some confidence that the current poor communicative relationship between these parents might improve following the conclusion of these proceedings and hopefully with the benefit of these reasons. In those circumstances, and where it is important for these two children to understand that their parents are both contributing to long term important decisions for them, I intend to make an order for equal shared parental responsibility. [85]

There will be orders for X and Y to live with their mother and spend time with their father each second weekend from the Thursday after school until Monday at the commencement of school. Such an order will give these children a sense of routine without the inconveniences of the interim order for alternate Wednesdays. It will also give the father the opportunity for some involvement in the children's schooling and for the children to see and understand him taking that responsibility. [86]

Whereas the wife seeks conditions upon the children's school holidays with the husband being conditional him being on leave from his employment, I prefer that the children spend equal time with the parents during their school holidays. Each of these parents work. Each of them would be equally required to make alternate arrangements for the children. Each have strong support networks. In such circumstances I do not think it proper to place such conditions or constraints on the children's time with their father. Ideally, of course, there should be no repetition of the previous situation where there was an interim order for the children to spend school holidays with their father but where he chose to deposit the children with other persons whilst he pursued an interstate holiday. As such, a higher degree of cooperation, trust and respect between these parents might give some flexibility during school holidays if the children's needs conflict with either parent's work commitments. [87]

#### ORDERS

ESPR – requested by parties

Live with Mother, spend time with Father as above

#### *Felici v Bagini* [2020] FamCA 111 (Benjamin J)

On the evidence before me, I am satisfied that the child is not at risk of neglect, family violence or abuse in either of the care of the mother or the father, and it is unlikely that the child will be exposed to that into the future. There was some family violence, but it is **situational violence**; whilst there is no level of violence, which is good, what occurred is of a very low level and has not occurred since separation. [26]

It is accepted that from his birth in 2016 until August 2018, the child had a strong attachment bond to both of his parents, and he grew up in a childhood where both parents were available to him. The mother left Tasmania and the household in August 2018 to return to Italy. The mother and the child did not have face-to-face time until November 2019, and this was at a time when the mother was in Tasmania for just short of two weeks. The mother returned to Italy on 8 December 2019, and the child has not had face-to-face contact with the mother since that time. [28]

The family consultant observed some anxiety in the child spending time with the mother, which was consistent with the circumstances in which the child had found himself. I note the contents of the family consultant report at paragraph 100:—

“From observations during this assessment, it is clear that [the child] once had a significant attachment to his mother. This attachment however appears to have been damaged by [the mother's] sudden sustained absence. The aberrant behaviours [the child] displayed at home and at Day Care are likely to be due to attachment difficulties following the departure of his primary attachment figure. It appears however that X [the child] is progressing well in repairing this broken bond, and has most likely established another primary attachment to his father, and a secondary attachment to [the father's partner].” [29]

#### ORDERS

4 year old child to reside in Australia with Father – spend time with Mother in Italy once a year with the father also included in this spend time arrangement and travelling to Italy with the child.

Costs of child's travel shared.

When the Mother is in Tasmania, with one month's notice she can propose time with the child.

### *Burnett v Charmers* [2019] FamCA 568 (Tree J)

'There has been family violence between these parties during the course of their relationship, and there have been family violence orders. The inference I draw is that when the parties are under stress, **situational violence** is a risk between them.' [34]

ORDERS

ESPR

Children live with the Mother. Mother cannot move outside of Australia. Children spend time with the Father.

Week A – Wednesday nights

Week B – Friday to 4pm Sunday

### *Monash v Monash* [2019] FamCA 372 (Baumann J)

'Separation occurred on or about 30 September 2014, accompanied by what the Court Expert described as tensions causing **situational violence** - emanating, I find, from the father.' [8]

'The mother, to her credit, supported the children maintaining a relationship with the father - initially and considering the ages of the children (with Y only five months old at separation) in her presence, graduating through an informal parenting plan reached in March 2015, to the children spending alternate unsupervised weekend time with their father from 10.00am Saturday to 4.00pm Sunday.' [9]

'These arrangements continued to operate until early 2017, despite:

- a) an incident at a shopping centre in July 2016, causing an application for a protection order to be made by the mother on 1 August 2016. These proceedings were finalised, without a formal order, when the father entered into an undertaking (without admission) to be of good behaviour towards the mother and the children and not to commit domestic violence;
  - b) the father re-partnering with Ms B in mid-2015, and marrying in 2017 - with some tensions arising around the attendance of the children at the wedding; and
  - c) the diagnosis of Y with epilepsy in August 2016 (which does not appear to be causing concerns at this time).'
- [10]

'What ultimately caused the informal time arrangements to cease, was an initial disclosure by Y to her mother on 10 January 2017 that the father had "touched my vagina". Following a Police interview and further disclosures by Y and X, supervised visits began quickly at the Town D Children's Contact Centre ("DCCC") on 25 February 2017. It is common ground that the children have not spent unsupervised time with the father since the weekend of 28/29 January 2017.'

[11]

‘In circumstances where both the mother (through her Counsel Mr Renfrey) and the Independent Children's Lawyer (“ICL”) (through his Counsel Ms Christie) submitted at the conclusion of the hearing on 29 May 2019 that the father presents as an unacceptable risk to the children, the issue of risk is analysed as a discrete topic in these Reasons, and is seminal to the orders that the Court believes are in the best interests of the children.’ [12]

‘There is an acknowledgment that some of X's behaviour can be challenging and at times aggressive. The school records confirm some of this behaviour has been exhibited at school. I would not ignore the possible contribution to X's poor behaviour of not spending time with his father.’ [63]

#### ORDERS

Judge did not agree there was an unacceptable risk.

Damage to relationship with Father by removing his access was considered.

Judge wanted to make orders that will repair the relationship – ‘although much might depend on how the parents deal with the results of this litigation and become more child-focused as “co-parents” [58]

Unsupervised time with Father granted – time to increase to alternate weekends, holidays and special occasions.

Mother awarded sole parental responsibility due to history of lack of responses from Father to the Mother’s communication about the children.

#### *Hemiro v Ramos* [2018] FCCA 1425 (McGuire J)

‘Both parents make accusations of family violence against the other. There are allegations of physical violence. There are allegations of financial and coercive violence. My observations of the parties and understanding of their evidence is that any “violence” is historically situational to their own relationship breakdown. The observations of the children with each of their parents suggests that the children themselves have not been subject to violence although they have almost certainly been exposed to their parents' mutually suspicious and critical relationship. There is, however, no evidence of any probity that the children are in any physical, psychological or emotional danger in the care of either parent. Therefore, whilst I expect that there has been some **situational violence** and in no way diminishing the abhorrence of such behaviour, I am not satisfied that the presumption of shared parental responsibility in these generally in these good and capable parents is rendered inapplicable.’ [39]

‘I am satisfied that there has been some situational family violence between these two strong willed individuals and certainly do not detect any power imbalances between them. Whilst family violence in any form and at any level is deplorable, it is not here such to feature prominently in my considerations.’ [56]

‘The current circumstances of the parents are such that I see no reason why I should not simply put the children with each parent for half of the term school holidays and on a week about basis on summer school holidays. Whilst this will inevitably create some logistical and communication issues for the parents, it will perhaps give them some motivation to better their efforts in these respects.’ [62]

ORDERS

2 Children, 4 years old,

Live with mother and spend every 2<sup>nd</sup> weekend with father – father with first option to care for the children when the mother is working

ESPR

*Hyland v Vacek* [2018] FCCA 2486 (Judge Cole)

‘Where the parties’ version of events differ, I accept that of the father. I consider this was matter of **situational violence**, and I have difficulty apportioning blame for the incident.’

Mother conceded to several false allegations when cross examined by counsel for the children’s lawyer. [81]

**(j) any family violence involving the child or a member of the child's family**

[128] The allegations of the parties in respect of the issue of family violence have been previously discussed.

[129] There are a number of concerns about the evidence provided by the mother that reflect on her credibility.

[130] The issues raised by the father have pointed to **situational violence** while the parties were in the process of separating and as previously noted I cannot ignore that fact that the parties have been able to continue a shared care arrangement for in excess of 12 months.

[131] I am unaware as to whether a family violence order applies and I am not referred to one by either party.

ORDERS

ESPR

Children live with each of the parties week about.

NOTE: Relocation order was sought by the Father to prevent mother from moving to Adelaide.

*Marrow v Periwinkle* [2018] Fam CA 637 (Loughnan J)

Violence was considered to be coercive and controlling rather than mere situational violence. (Family report and ICL agreed)

‘The presumption that the parents having equal shared parental responsibility would be in the best interests of the children, does not apply. The proper order is one that places parental responsibility with the mother. I will make that order.’ [163]

ICL Recommended:

Children are to live with the Mother for the time being it is not safe for them to be exposed to the behavior and attitudes of the father [165].

Therapy for the children recommended as victims of DV [166.3].

No contact with Father until a FVI program has been satisfactorily completed [166.4].

‘Given the high level of conflict between the parents and the fact that they have not been able to protect the children from that conflict, their joint proposals are appropriate. The father has been responsible for family violence and at least in part, he feels that he has been justified in that conduct. Those attitudes are not healthy for the children. The children will be safe and competently cared for in the mother's household. The orders will provide for that arrangement and will exclude the father for the time being.’ [169]

#### ORDERS

Sole PR for Mother.

Chn live with M

No time with F

No contact of the F with the Chn – unless the Chn request it – M to facilitate

#### *Sarto v Sarto* [2018] FCCA 1040 (Judge Cole)

[94] The report writer noted that:

“The mother maintains that the father exerted coercive controlling violence against her, described his behaviour as unpredictable and that he had limited control over his actions; she struggled, however, to describe his controlling behaviours in detail.<sup>17</sup>”

[95] She went on to note:

“ ... in the experience of the Family Consultant, coercive controlling perpetrators tend to demonstrate a consistent external locus of control and responsibility in relation to areas of problematic functioning when invited to discuss them. However, during his interview Mr Sarto acknowledged his past substance abuse in a reflective manner, acknowledged his behaviour during both the 11 F conference and towards the mother's solicitor, and expressed remorse for his behaviour and acknowledged other aspects of his behaviour (for example, threatening to take the children from their mother during the parties' relationship) which had the potential to cast him in a negative light before the Court.<sup>18</sup>”

[96] Further, the report writer noted further concerns in respect of the father's behaviour including:

“The Police report indicated mutual verbal conflict with his sister in 2003, the threat to hit someone with a baseball bat in 2008.<sup>19</sup>”

She also noted that he has not been transparent about the police attendance recently with his current partner.

[97] She went on however to say:

“It may be that the conflict between the parties may be better described as situational - couple violence; this would suggest that Mr Sarto (and Ms Sarto, if the Court considered Mr Sarto's reports of her behaviour to have some merit) had difficulty managing conflicted situations without resorting to aggressive behaviour. Also, the Police information suggested that both parties may contribute to the conflict.

Situational-couple violence differs from coercive-controlling violence in that there is no power imbalance, with one partner in exerting controlling and threatening behaviours to induce fear and intimidation in the other as a way to maintain the power differential. **Situational-violence**, rather,

emerges in the context of conflict, and escalates into aggression; this can be mutually contributed to, and chronic.<sup>20</sup>”

[98] I accept the report writer's view on this issue. I note the report writer further commented: “ ... the father's behaviour during the observed interaction with the children showed significant restraint in the face of the children's comments, which indicated both the capacity to control his behaviour and the capacity to place the emotional needs of the children above his own. These observations of the father did not seem consistent with the mother's reports of him.<sup>21</sup>”

[99] I am unable on the evidence presented by the mother, to make any finding of family violence or post separation family violence as portrayed by her. I accept that any violence that may have occurred, did so in the context of the breakdown of the parties' relationship and their subsequent separation.

[100] I accept that the parties have had and continue to have an atrocious relationship to which it appears unfortunately that the children have been exposed.

#### ORDERS

Mother Sole PR for education

Increased time to alternative weekends with Father

Thursday afternoon alternatively

Week on – week off in holidays

#### *Meldrum v Seddon* [2018] FCCA 200 (Judge Neville)

Father’s submission: Family Violence - father convicted of physical assault on mother. Inexcusable. Father takes anger management course. Family Consultant says ‘**situational violence**’ low future risk. (paras 25,26, oral evidence) Submission: would not in this case disqualify father from sole parental responsibility or children live primarily with him [31]

#### ESPR

Father has final authority for children’s health and education if parties can’t agree

Live with Mother, 5 nights per fortnight with Father

Week on – week off for holidays

#### *Slaski v Way* [2017] FCCA 1632 (Judge Mead)

The children discussed the issues again with Family Consultant Ms B as reported on pages 22 and 23 of the Family Report. Notwithstanding a clear lack of ability to communicate effectively on the part of both of the parents, I am satisfied that the incident on 29 April 2015 could best be described as “**situational violence**”. That is not to say that the behaviours of either party was acceptable, particularly in the presence of the children. Not only were the children scared by the incident itself but it resulted in them having to speak with police about their parents behaviour.

[71]

I am satisfied that orders requiring the parties to communicate respectfully generally but in particular in the presence of the children and restraining them from denigrating or criticising the other of them to the children or in their presence or allowing any other person to do so will be sufficient to protect [X] and [Y] from exposure to family violence. [73]

I find an order restraining both parties from disciplining either of the children physically would also be sufficient to ensure that the children are not subjected to any form of abuse. [74]

#### ORDERS

##### ESPR

Children live primarily with the Father and 4-5 nights per fortnight with the Mother.

Children expressed fear of the mother and wished to keep living with the Father – Family Consultant Report.

#### *Panera v Sliedell* [2017] FCCA 1573 (Judge Kemp)

Ms L, at paragraph 91 of the family report, makes a finding that “the nature of the violence between [the father] and [the mother] was not of a controlling, coercive type. It was rather, **situational violence**”. The mother says that this is an extraordinary finding which having the limitations referred to in the report was not acceptable and Ms L, was therefore, in error.

The father maintains that Ms L, based on a review of the subpoenaed material, can give evidence as to whether the violence between the parties was **situational violence** based on specific stress factors of financial situation and the poor quality of the marital relationship. The Court accepts that position.

#### NOTES:

Application for hearing was to discharge the Family Report Writer

Discussed admissibility of the expert evidence, bias and procedural fairness.

#### *Gibb v Kearney* [2016] FCCA 2339

“In this particular case, Mr Gibb has an established relationship with X, with whom he has been regularly interacting since her birth. In objective terms, I consider that she is likely to be physically safe in her father's care. The mother's allegations of alcohol abuse, in respect of Mr Gibb, are inchoate. There is no evidence of any psychiatric dysfunction on Mr Gibb's part. The allegations of family violence made by Ms Kearney are largely historical and are more likely than not to reflect situational violence. In addition, she herself concedes that she has acted inappropriately towards Mr Gibb.” [133]

#### ORDERS

Interim arrangements - Child (aged 4) to live with the Mother and spend time with the Father  
Interim Hearing held - August 2016 and the matter was adjourned until February 2017 for a family assessment report to be considered for further orders.

## Appendix 2.

### Research Review: Intergenerational, adolescent family violence and the role of the Family Court.

A study conducted in Western Sydney found that 51% of single mothers experienced abuse and violence from their adolescent, with a higher percentage of perpetrators being young men than young women (Stewart et al. 2006).

The primary factor influencing adolescent violence in the home is the experience of family violence by both the child and the mother. Such exposure can hinder a child's development, resulting in a lack of skills to manage conflict non-violently and fostering negative attitudes towards women. (Howard, 2011)

Perpetrators can use contact visits to undermine and criticise the other parent, which undermines the relationship between the victim-parent and the child. Perpetrators can and do encourage the children to disobey and disregard the other parent (Howard, 2011). The same tactics of abuse that are used by men against women to gain power and control are also identified in the limited research of son-to-mother abuse (Meyer et al, 2021).

Children raised by violent men take on the world view that women are not equal to men. They also learn that violence against women is an acceptable and appropriate way to resolve conflict and get what they want (Howard, 2011).

Mothers reported that adolescent family violence (AFV) often surfaced in male children who had witnessed intimate partner violence (IPV) during their childhood. Despite the dual victimisation mothers face from both adult and adolescent violence, they tend to view their abusive children more as victims than as offenders (Meyer, Reeves & Fitz-Gibbon, 2021).

#### The Brisbane Study

Douglas and Walsh (2018) considered the role of the family law system in the context of AFV through research conducted with 5 focus groups of legal and social service providers in Brisbane ('the Brisbane study'). Below are some accounts from the lawyers and social workers who participated in the Brisbane study.

'often there is quite a long history of witnessed violence'

'children ... that have been part of a domestic violence experience [have] all sorts of trauma from the day they were born and on and if that's gone unchecked and not supported that anger, frustration and all that type of thing is very much a part of ... what they're challenged with'

They also identified situations where the father 'used' the adolescent to indirectly perpetrate intimate partner violence onto the mother:

'[they] had finally separated, and they had three children together ... He was using his interactions

with the children as the way to continue to abuse her. He would call the children up, or drive to ... outside her house, and call the children out to the car ... They'd spend approximately five to 10 minutes with him at the car, and then they'd come in and immediately commit an act of violence against her or [their grandmother], who was living with them.'

Some participants suggested that family court orders can exacerbate AFV. One participant suggested that a consideration to avoid future AFV may assist the Court, when deciding whether to refuse contact between the violence parent/partner and the children. Below are extracts provided by the workers where Family Court contact orders with the abusive parent contributed to AFV.

'I have a mum at the moment who is having to manage quite escalating violent behaviour because she has shared custody [on a 'week about' basis, alternating one full week with each parent]. So, it takes about three or four days for the behaviour to change after having that week with a violent partner that their Order says has to actually remain in place.'

'[Where] a teenager ... has to share time with both parents and it's very stressful and the relationship the child has with their father is quite a fearful one and yet back home with mum who's a — generally a more secure attachment ... that's when they express their emotions, because they are safer in that relationship. So it's often mum that gets the brunt of the stress that's within the relationships.'

When the primary carer is trying to facilitate time with the other parent and the adolescent doesn't want to go, this can also exacerbate AFV. '[Y]oung people feel that mum is not protecting them because she's having to go along with the family court orders and say well sorry you have to go because we are being ordered to do this... the young people are resentful and angry that mum is not able to keep them safe...'

There is also blame felt by the mothers, who are victims of FV, when it is the father who has modelled the abusive behaviours now being replicated by the young person (Douglas and Walsh, 2018).

## REFERENCES

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### Appendix 3.

## Q16 In a few words, can you sum up your experience dealing with the court?

Answered: 183 Skipped: 13

#	RESPONSES	DATE
1	Disgusting, sign a confidentiality agreement do as u r told or loose ur funding	3/15/2023 8:07 PM
2	Didn't provide 50/80 care, didn't order a ptsch Eval on alienator, cancelled the subpoena for my child's records after known child services investigation.	3/13/2023 9:31 PM
3	Disgusting horrendous so severely out of touch with normal human behaviour and life. Just a joke!!!! Severely skewed towards men.	3/13/2023 6:32 AM
4	The court ignored substantiating of sexual, pigtail and empirical abuse perpetrated against the children. They instead made me(the mother) the risk as I reported it and they saps I made the children believe this happened. The appeal judges denied evidence that I allowed to be considered. The trial transcript was doctored. If I had not lived the whole process, I would never have believed that this could happen. Nearly years later and my ex- husband still has me supervised by an extremal company time with the children is extremely limited.	3/12/2023 10:55 AM
5	My trial..the constitution was thrown out the window. My then year old daughter and myself had no rights at all. I presented a credible history of the perpetrators FDV including attempting former homicide on a previous victim dating back to . The court denied factual medical evidence re: alleged sexual abuse of my child, including 2 x DOCS substantiated notifications of child sexual abuse. Due to manipulation the Father invoked both unsubstantiated "parental alienation" and "mental illness" as a smokescreen screen. The judge persuaded by this fallacy sided with the perpetrator, stripped me of custody and relegated me to a court approved Institutional Children's Contact Centre Service - where I am forced to hire a visitation supervisor at \$240 per visit in addition to paying the father child support where - the supervisor monitors everything I say to my child to prevent any further discussion of abuse until, when my now year old child ages out of the family court system when she is 18. When a mother won't shut up about substantiated abuse - that's a reason to cut her off from her children in the court eyes and order her to a life of hell on earth.	3/12/2023 10:02 AM
6	Absolute joke worse than the family violence	3/11/2023 10:40 AM
7	At preliminary hearing I asked for a decision "on the papers". Judge gave me option to withdraw my application or go to trial. I chose to withdraw. I thought that was the end of the matter. I was STUNNED when Judge then made orders in favour of the other party.	3/9/2023 7:37 PM
8	Incredibly unfortunate for my child as he was forced to go to an alienating abuser every second weekend	3/9/2023 7:15 AM
9	Scary. I am a litigation lawyer in the Federal Court, not family law. It shocked me how I was treated and the systemic misogyny was confronting.	3/9/2023 2:28 AM
10	So far, the legal process has allowed my ex partner to avoid attending mediation or any other dispute resolution service for years. My ex partner has never been violent but was incredibly angry throughout separation. He forced me to leave the family home and eventually to allow him to keep the home as part of our settlement. My children have consistently told me they don't want to live with him for the past years. We recently attended family report interviews, with his chosen report writer, and I was framed as having grief issues and the children's comments were considered to be not "age appropriate" and "strategic". The children's psychologist today confirmed that her conversation with the report writer was not accurately recounted. I was described as having an "agenda".	3/8/2023 8:33 PM
11	HELL I was found not guilty of DV charges in local court, family court don't recognise this outcome. Particular evidence before the family court, proved I did not assault my ex partner. This was ignored. Haven't seen my baby girl for years.	3/8/2023 8:10 PM
12	A complete lack of understanding of all forms of family violence including the alienating tactics	3/8/2023 8:42 AM

to eliminate one parent from the children's lives which are rooted in coercive control. Despite the peer reviewed evidence available the use of role and gender bias meant that maternal neglect and behaviour was viewed differently to the care and protection behaviour of the father. Not all mothers are angels. Not all fathers are violent. Family violence occurs in equal parts per gender - the way the genders do it is the key and is not recognised by the family court. The outcome on the children is the same.

13	An abusers playground Abusive to myself & my kids Traumatizing & re-traumatizing in every way	3/6/2023 7:20 PM
14	Very traumatizing, frustrating, costly, time consuming, unethical and not in the best interests of the children.	3/5/2023 6:38 PM
15	As above, 10 years waiting for reform and matter to be resolved outside court, unresolved and will have to go to court at huge cost and distress. High risk DV, no action by police, extremely low levels of support .	3/5/2023 6:03 AM
16	Soul rape	2/25/2023 5:32 PM
17	A system that supports abusers to further abuse and prevents mothers from protecting their children. He with the most money and/or influence and/or least scruples wins. Family Court in Australia is where justice goes to die.	2/25/2023 9:29 AM
18	shocking, traumatizing, hell, and after 10 years of trying to protect my children at enormous cost to us all, i do not have custody of my children, the perpetrator does.	2/24/2023 7:03 PM
19	Utterly horrendous and uncaring. They forced my eldest child who had suffered physical violence and coercive control from her father, to go with him unsupervised and told her I would go to jail if she kept refusing.	2/24/2023 4:59 PM
20	an utter disgrace, demonic, evil, abuse on top of abuse, pathetic response rates, arrogance, indifference, inhumane, incompetent, bias, prejudice, discriminatory, harm inflicting, disgusting, careless, irresponsible, hopeless, ineptitude, patriarchal, misogynistic, damaging, life-destroying, cold, calculated, trauma inducing, outdated, untrained, idiotic, falsifying, hypocritical, overwhelming, wrong, unlawful, immoral, anti-australian, sickening, destructive, deceitful, threatening, alienating and a total waste of time.	2/24/2023 4:42 PM
21	I was treated like I was crazy and less than worthless. He worked for a Senator so he was treated like he was the voice of reason and I was trash. It wasn't until I presented evidence from his second wife with her medical records and financial records being very similar to my own that I was given any credibility. The family court still forced supervised visitation even when he was criminally charged with assaults on the children. It was distressing for the children to have to see him and be gaslit and manipulated by him, all the while with him accusing me of coercing them. Some of the details of the criminal case can be found by googling "[redacted]".	2/24/2023 11:37 AM
22	Judge pretended he didn't know my ex husbands lawyer but that lawyer was married to judges associate and judge is seen at that lawyers wedding. I alleged with evidence money on lease in that lawyers trust account for my former husband. Judge would not permit me to penetrate it.	2/23/2023 8:28 PM
23	I was accused of parental alienation. My mental health was used against me, however my counselling service Open Arms was just amazing. The crux of the matter was my ex found God and the kids didn't feel they could be their authentic selves with him and his new wife and faith. I kept fighting for them because kids need to feel safe to make mistakes. He gave up when my now husband [redacted] came into our lives. The hardest part of the process was the consultant, and some school teachers just not understand how small off the cuff comments to the consultant can cause major dramas in court. [redacted] [redacted]. My ex and I moved over from another state and split up shortly after. His threats of taking the kids off me started shortly after that. All my networks and supports were in another state. 10 years on, my oldest daughter is estranged from her father, at her instigation due to his religious judgement of her. The younger boys now well into their teens spent most time with my new husband and I. The consultants are awful. I've now advised a few friends who've had to go through family court to favourable outcomes for their kids.	2/23/2023 7:13 PM
24	Torture. I was further abused in the witness box unable to breathe but, the judge allowed the	2/23/2023 6:43 PM

	barrister to continue	
25	A nightmare	2/23/2023 6:33 PM
26	Lawyers treating me with disrespect and retraumatizing me Judge accepting nonsense claims without any evidence from my abuser and gagging me from talking - as a victim Court being used as a control mechanism & form of torture	2/23/2023 5:47 PM
27	The system is supporting the other side, he's not Australian nor does he live here yet he receives legal aid. I feel like I'm constantly trying to prove family violence happened. The court thinks it's always in the best interest of the child to have a relationship with both parents, but that rule shouldn't be blanket. Cost is ridiculous. I'm not eligible for legal aid but can't afford the legal fees I have to pay. My	2/23/2023 5:41 PM
28	It was the most traumatic time of my life and I've plenty of trauma in my life. The effects of this are ongoing- financially, emotionally and mentally, for myself and my child	2/23/2023 4:49 PM
29	He alleged parental alienation. The courts didn't appreciate the profound abuse he out his wife and the kids through through - emotional financial and it was all pitched as the wife being ther perpetrator.	2/23/2023 4:49 PM
30	As a male victim, I was not acknowledged by the judicial system as a "rightful" victim (even with police and 3rd party reports	2/23/2023 3:16 PM
31	It was very daunting. Centered around making money for all legal entities (counselor, phycologists)	2/23/2023 3:06 PM
32	Horrendous. Shameful. Unbelievable.	2/23/2023 3:00 PM
33	Abhorrent. My ex (perpetrator) weaponised the family court against me eg ran several vexatious applications through the court. Case bumped around to different registrars for over years until - when I ran out of money so had to start self representation- I finally made application and had the matter moved to a judge's list for case management	2/23/2023 1:03 PM
34	The judge, had developed a bias against me resulting from ex father in law being able to provide a statement that he was a former Federal Police Officer before any evidence was able to be provided. The ex father in law was in fact a disgraced Federal Police Officer who was forced to resign to avoid criminal prosecutions due to threats against colleagues and their family lives, among other crimes he had committed. The judge continually bantered me in the very first mention in which I was to explain my request to have the case moved from where the majority of the children resided. Due to my own physical disability and the children and life the disruptions with schooling and Kindergarten and travelling over 1300kms I requested the relocation of the case. The judge then asked me a further three times as to why I wanted to have the case moved interstate. Each time the Judge unsatisfied with my response. In the end I stated, this case is all based on the lies by the applicant, which in time after the damage is done, you will come to recognise. The judge after the bantering, refused to move the case. The ex had begun the matter all based on lies, committing perjury repeatedly and claimed the need for the case to be held in benefited his needs and ease of access to proceedings. The ex never once showed up in person to Court proceedings except for the first of the two Family Consultant assessments. Family violence was committed the ex mother in law within the walls of the Court, disrupting the Family Consultant assessment and contempt of Court with no consequences for her behaviour.	1/30/2023 5:12 PM
35	Woeful. My impression of the whole episode was one of disappointment. It's a little one sided and not worth the effort or cost (financially and emotionally).	1/30/2023 9:24 AM
36	My story is long. Medical records subpoenaed which contained photos of my genitalia for all to see. I applied for it to be left out - argued relevance but the judge said it was televant. I haven't seen my daughter for years and had to flee the state. My daughter has recently contacted me telling me her father is now abusing her - she sent me photos of strangulation marks and nobody is helping us	1/18/2023 10:17 AM
37	I was very lucky to be able to use savings - equity from my then home - to fund proceedings. The family violence was clearly evident by the behaviour of my ex partner in the court. During the proceeding there were multiple incidences of threats and stalking. His poor behaviour and persistent denials and legal action were a major factor in costs. I was lucky to have excellent support from a professional third party during proceedings.	1/17/2023 10:06 AM

38	Toothless tiger	1/15/2023 8:23 PM
39	As a man, I felt like they had a pre determined agenda against ne	1/15/2023 4:54 PM
40	Its only just begun, it's stressful, expensive and completely unfair.	1/15/2023 2:56 PM
41	Hell! There is no concern for the physical and psychological wellbeing of the child. I was lucky that by the final hearing my daughter was at the age where they had to act on her consistent requests to only live with me and not see her father. The court system is a way for lawyers, barristers, judges, 'expert' psychologists and children's lawyers to make money from long trials. It's appalling what trauma they put children through in the process as well as the survivor parent.	1/15/2023 2:30 PM
42	I was diagnosed with PTSD after court, and because of my court experience. I have not been able to return to work for the [REDACTED] years since court. The Court was re-traumatising for me but also traumatic in its own right. My son has been badly let down and forced to have contact with our abuser. He and I have permanent damage that will be with us for the rest of our lives due to being forced into ongoing contact with our abuser for so many years. Courts do not protect victims, and they do not identify abusers and abuse dynamics. The family court nearly killed me.	1/15/2023 12:40 PM
43	The ex-husband illegally transferred the marital property to a stranger (stranger friend of a former High Court judge). I went to court to get my marital property back from the stranger as the "Applicant" and the ex-husband was the "Respondent" Then I had joined the stranger and his two companies as the 2nd, 3rd and fourth Respondent. The judges switched this around and made the stranger the Applicant in my ex-husband's and my property settlement. This is illegal. I took the matter to the High Court of Australia. They said that it was O.K. For more details see my PETITION to UN PETITIONS TEAM [REDACTED]	1/15/2023 12:31 PM
44	Extremely anxiety provoking, scary, soul destroying. I felt minimised, humiliated & not believed.	1/15/2023 12:17 PM
45	I felt I was largely ignored not being able to afford representation. I was being force to participate in a psychosexual evaluation that I could not afford. I had already done a psychosexual evaluation funded by dhhs with a different provider.	1/15/2023 11:48 AM
46	Horrific. A full no contact IVO was in place for [REDACTED] years before proceedings and perp admitted non fatal strangulation of kids and me and still took [REDACTED] years to bring a halt to proceedings funded by his parents to enable contact with me and to further traumatise all	1/15/2023 11:39 AM
47	As the perpetrator was female and I was a male, each magistrate didn't appear to take my claims seriously. They also rejected my application for an interim intervention order due to practical considerations (e.g. who would look after our chid), regardless of the allegations. The duty lawyer experience was also mixed. In addition, I had to attend court online because of COVID-19 limitations.	1/15/2023 11:09 AM
48	They had no idea how to support an Autistic adult. I was treated by the courts and police that I was retarded and by extension the problem. The courts have no idea of the challenges autistic adults have. I have lost nearly everything.	1/15/2023 11:04 AM
49	I was advised by my lawyer not to pursue fdv as it would hurt my custody case. Police took out an avo but I agreed to let it lapse after [REDACTED] years for this reason	1/15/2023 10:46 AM
50	Traumatic, horrendous. If it were not for my parents funding lawyers and barristers my kids and I would be destroyed and living in a tent. My kids are adults now and have nothing to do with their father or his family .	1/13/2023 5:59 AM
51	Horrific	1/12/2023 8:43 AM
52	Disgusting. Full of bias & incompetence. Abbot appointed 'Judge' [REDACTED] is a failure, an imposter, & needs to go	1/11/2023 12:49 AM
53	The court did not take into account the huge power imbalance and coercive control I experienced in the relationship and during our divorce. I am seven years post consent orders being signed and I still experience relentless abuse, denigration and litigation from my exhusband. Almost as though we are still in court. Due to the huge financial discrepancy between us (I am currently work casually and on the single mothers pension and he is a sole owner of a successful dental practice and surgery) I am left in situations where I have to comply to his demands simply to be able to not endure the huge legal fees that accompany	1/10/2023 5:53 PM

the endless legal letters and to protect myself emotionally. We share [redacted] children. The [redacted] has special needs. I am a victim of post separation family violence that is traumatic for myself and also our children. I suffer from complex trauma as a result of what I have endured over the last [redacted] yrs. I have had numerous FVIOs which I have had to drop once they get to trial because I can not emotionally handle having to defend my need not to be harassed and abused. I also can not financially defend myself against his legal representation. The abuse is emotion and psychological in many various forms of coercive control. When I have had respite with the inrium IVO he has moved his communication to family lawyers which he changes often quite regularly. I have a support DV worker [redacted] who I communicate with very frequently to help me manage the emotional responses I have to the legal communication I receive. It is a horrible way to live and I would love the Australian family court to put in place laws that enable victims of coercive control to be able to find psychological safety from the perpetrators once they leave the relationship. Victims and their children should not have to experience this type of family violence given that it is preventable.

54	A living nightmare	1/9/2023 11:00 PM
55	i actually wrote a lengthy response but somehow it disappeared before i submitted. the family court did a lot of damage to my son who is now [redacted] by working on the basis - an assumption - that poor fathers were being denied access to their children. the interim orders were dreadful - my [redacted] year old son had to fly unaccompanied to the country every 2 weeks to see his father despite our lives being in [redacted]. no order was made for the father to come to [redacted] to be a part of his sons life where he lived. the whole aim of the father applying for full custody was to break me emotionally and financially and i knew that he had no interest in our son. as soon as the case was closed he had no contact with our son and hasn't for [redacted] years.	1/9/2023 4:46 PM
56	Traumatic	1/9/2023 8:24 AM
57	Traumatic.	1/9/2023 6:11 AM
58	Terrible. My ex husband went for custody of our daughter after giving his very traumatised children back to his first wife. The judge we were allocated was [redacted] and always favoured the men. My father used his influence and got the judge changed and that's the only reason I got custody of my daughter. Absolutely incredible.	1/9/2023 3:45 AM
59	I read a story in the Australian newspaper years before being in FC myself that had the heading "The family court is the most dangerous institution in Australia for women and children" and at the time I didn't understand what it meant, but now I know exactly what it means and it is absolutely true. The family court is not designed to deal with domestic violence. It has no authority to take any action, he has no authority to provide any redress to victims and it has no authority to hold the perpetrator accountable for anything. The adversarial system by design encourages perpetrators to make allegations about victims leaving the victim guilty until they somehow prove themselves innocent which is incredibly hard to do when you are traumatised, and when you have no resources when you are fearful and intimidated, and when you were still being abused - not just by the perpetrator by by the system I have weaponised against you which includes police, child protection, mental health doctors, children's schools, family members and friends..... I was court ordered to attend family court after refusing to engage, so I have been forced by the government to be subjected to domestic violence and abuse once again, so they can uphold the perpetrators right to have matters for for the court, was totally ignoring myself and my children's basic human rights to not be abused, to have freedom, to not have the government interfere in our family, and our inherit right to life..... Legal practitioners inadvertently or intentionally assisting perpetrators to continue to commit this abuse is a significant issue that each states Legal Board is well aware of however they take no action whatsoever to prevent this occurring and given it is linked to coercive control abuse their complaints process which only focuses on individual incidents specifically squeeze anyone having a complaint dealt with through the normal process leaving absolutely no way to stop this abuse occurring victims having to be subjected to more abuse in order to try and prove they have been abused. These legal practitioners are making a significant amount of money out of this practice and it cannot be left up to them alone to self manage given the financial benefit they gain from it, and additional vulnerabilities of victims making the imbalance of power and the potential consequences of it even more severe.	1/8/2023 11:14 PM
60	Q15 looking after children and work and life while dealing with the demands of court. Having to prove that I don't take drugs because the cops found his drugs when I called them. Not being believed. Having every decision second guessed.	1/8/2023 10:28 PM
61	Despite video and photographic evidence, reports to child services, confessions from my son,	1/8/2023 9:45 PM

family, and others, the court will not entertain these forms of evidence and have silenced my sons voice and claims of abuse.

62	DARVO My Ex is a [REDACTED]. The focus was on how difficult shift work was for him. Parenting orders involved complex access around his 8 week roster (which were approved by the court). I don't think I was mentioned. It was a similar story earlier after he got drunk and [REDACTED]. The neighbours called the Police and pursued charges, he had to appear in Court. Case rapidly dismissed. I was hoping someone in authority might realise there was a problem at his end. But no. He was laughing about it immediately afterwards - they helped let him know he was untouchable. Family Report deemed his abuse "historical". Even though he spent [REDACTED] years denying the violence had ever happened, until our older children were asked to speak with Family Report writer. Then he was extremely remorseful and also completely reformed. No mention of alcohol abuse, the fact I don't drink was used to invalidate my concerns (despite the recent alcohol related incident with the neighbours). The experience was and continues to be traumatic. The Family Report was written by a Psychologist and contained several significant errors but most of all I was horrified to find a breach of confidentiality. I made an immediate complaint to AHPRA but was told I need to take it up with the Court. I have no funds in order to do this.	1/8/2023 7:48 PM
63	Expense forced me to self represent. Judge dismissed evidence of DV (police conviction) and photographic evidence of tracking devices hidden in vehicle	1/8/2023 7:28 PM
64	It feels like children don't come first and neither do the victims of family violence. Why aren't there more female court appointed family report writers, psychiatrists, etc., so that we can feel safe to talk about our experiences for the sake of our child/ children.	1/8/2023 6:05 PM
65	As a child of violent adult. My greatest fear was that my father would be given access to us. He has access only ever 2 weeks but that was enough to continue the trauma. He threatened to kill us and himself. It was terrible. This was before the modern version of courts awarding greater access to fathers. That would have destroyed us.	1/8/2023 4:39 PM
66	De-humanising, Especially the expert psychologist who rated parents on meeting them for about two hours and observes parents with child separately for half an hour. Children's lawyer also was communicating the father but would not with the mother. The father denied the allegations and stalled the process, hiring his own barrister and moving the case to the metropolitan court for final hearing.	1/8/2023 4:33 PM
67	Other parent alleged every possible form of abuse and provided zero evidence. Court utilised a Single expert witness and decision granted shared care. Other parent utilised alienating behaviour for [REDACTED] years after Orders and then broke Orders and took children 4000 kms away. At [REDACTED] and [REDACTED] the Court refused to act. Haven't seen my kids in [REDACTED] years until the eldest reached out a few weeks ago. He is traumatised and damaged and struggling to understand what happened and why he allowed the other parent to brain wash him. We are proceeding very slowly and gently. The FC tried but until Parental alienation is recognised as abuse then Orders will fail and children will be damaged.	1/8/2023 4:22 PM
68	It was a long time ago. No fault divorce was a life saver. My ex was very high profile, mates with his lawyer. My lawyer had a breakdown and skipped town. I didn't go into detail re the physical and psychological abuse because I thought it was a good idea to keep him happy. Overall that probably wasn't a bad decision but it does mean that lots of people still think he is/was a good bloke and that I was a mad feminist to even consider leaving, and he did stop and keeping up a public profile sort of worked. ( the Alison Baden-Clay example scared me a lot though-could have been me, [REDACTED].	1/8/2023 4:13 PM
69	I agree with no fault however it has filtered into kids and financial leaving many women in financial stress and compounding parenting challenges. Sacrifices of stay at home parents and opportunity lost not recognised in current law. Family crt is not trauma informed and as a prior family law lawyer then client of the family crt I have no respect for the system. It's not law - it's without guidance principles, heavily reliant on lawyers and mediators to "silence" the issues. It's a 50/50 system which is not substantial justice. Family lawyers need retraining in the importance of their work. As an ex family lawyer I honestly feel that it's a cash cow for many lawyers rather than a vocation. I was fine because I knew the system. Still, the system has left me in financial precarity compared to my ex. He was a perp but i was educated and strategic to keep kids out of it and now they have good relationship with him. But I know the system.	1/8/2023 2:42 PM

70	The "court appointed" psychologist made a report which was a pack of lies and made me suicidal.	1/8/2023 2:02 PM
71	My mother took my father to court regarding ■ years of FDV (including physical violence occurring in front of myself and my siblings) and the custody/care of my youngest sibling, who was under 18 years old at the time. We were given very little support in terms of avoiding my father, the FDV perpetrator, both within the courtroom and outside while arriving in the building and waiting outside the main rooms. The best suggestion they had was a minor, temporary partition they could bring in to separate them. My mother was beyond terrified. The court case was disorganised (my siblings and I were never once asked if we would consider providing testimony, which may have been a considerate move on their part to avoid our trauma, but seemed a ridiculous flaw in terms of providing evidence). Things were not properly laid out to my mother, who had no prior experience or understanding of the law, and was often confused about specific details. Arriving and leaving the building continued to be a stressful and scary experience every time we needed to attend court.	1/8/2023 1:39 PM
72	Men who are violent are much more likely to utilise the FLC as a means of continuing to perpetrate violence. There is absolutely no way mediate away their wish to use the courts to control their partners. The children are a mere pawn. I had a water tight binding financial agreement that the (a lawyer) would ignore. He stopped paying child support to control me, threatened to kill me, wrote the most abusive emails, banged my door down (I got an intervention order, twice). These matters should never have got anywhere near court - he should have been compelled to pay child support, pay the school fees, as agreed in our BFA. Instead, he terrorised me by continually refusing to do what he had agreed, knowing that it would cost me money and time that I did not had (and he could represent himself). It was an utter abuse of power and the courts let him. The IO I had more the MAgistrates Court had no bearing on the matters heard in the FLC. Courts need to recognise that men exercise continual abuse through the courts.	1/8/2023 1:15 PM
73	Court does not understand DV and the complex consequences. DV is an after thought.	1/8/2023 12:18 PM
74	Yet to go before the court	1/8/2023 11:45 AM
75	Inhumane	1/8/2023 10:52 AM
76	I was treated unfairly by both solicitors, police & the court, in criminal charges brought against me. The Family Court was more fair, but still awarded weekends & holidays to the DV perpetrator. His paternal rights seemed to be an overriding concern. My daughter is now ■ & suffers anxiety as a direct result of her regular contact with her father (against her wishes) as a child	1/8/2023 9:44 AM
77	I was fortunate to have the support and consistent representation by a lawyer and barrister which I believe helped greatly. Also a judge who clearly identified the DV and child abuse over the period of ■ years and awarded full custody to myself. The appointment of a Independent Lawyer for the children was critical. The perp ended up representing himself as he wanted to cross examine me, judge never allowed this. She examined his information whilst on the stand. Whilst we had a better outcome then many, the systems abuse used by the Perp, the stress and the financial impact have been lasting. Also my children are now adults, one a ■ and the other a ■, it is not difficult to see the impact on them and their life's trajectory. The need for a child's voice to be heard and to not feel powerless and fearful is paramount. I would also add that FVIO were in place during this time to protect from ongoing abuse and threat to kill.	1/8/2023 9:10 AM
78	They had no interest in helping us or keeping us safe. Couldn't care less about ongoing FV/CC. Felt rushed and bullied to agree to things despite child's best interest. I'm sure evidence supplied was not read or considered. Mistakes made by court staff were brushed off, effecting outcome. Court does not care about abuse, trauma, neglect or risk to kids due to mental health and addiction. Court is over but issues remain ongoing.	1/8/2023 8:55 AM
79	Every avenue I sought protection, was flipped and I was further abused using the system...	1/8/2023 7:52 AM
80	My matter was dealt with swiftly, but harshly. I can only describe my experience as torture, a perpetuation of the abuse I had experienced throughout my relationship and a form of control after the relationship had ended. I was accused of all manner of things, including mental illness - and was subjected to psychological interventions that were not needed. The case relied on evidence that was old and did not impact on my parenting. The perpetrator had left my children in my care with no concerns throughout the relationship, however when I chose to leave	1/8/2023 7:44 AM

violence I was suddenly an incapable parent, mentally ill and "trying to outsmart the justice system" My children are now old enough to self-place with me.

81	Firstly, Lawyer warned not to mention domestic violence or mental health as this would go against me. The reason we were in court was because of a certificate being issued for those reasons but couldn't discuss them for fear of losing kids	1/8/2023 7:36 AM
82	Horrendous, lies in affidavits should be punished, the victims are made to look the perpetrator	1/8/2023 7:21 AM
83	Disappointed to realise that telling the truth isn't enough. You have to suffer over and over again before you are finally believed, if at all. I had an ADVO but the judge in the family court said he didn't pay any mins to those. Wow.	1/8/2023 7:18 AM
84	1. The accusers lawyer is documented to have lied to a magistrate in relation to extending an IVO that did. not exist. It took four more hearings to correct the misinformation. The application was dropped when a favourable financial settlement was reached. My complaints to the VLSB regarding the deliberate false representations to the magistrate by the solicitor were dismissed on the grounds that lying to a magistrate did not reach the threshold for an investigation! 2. The family lawyers charged for anything and seemed to have no interest in closing the financial settlement. In the end the other party agreed to what essentially had been proposed by myself prior to legal involvement some years beforehand. SO I SUGGEST: 1. VLSB LOWER THEIR THRESHOLD FOR INVESTIGATIONS OF CORRUPT LAWYERS and 2. FAMILY LAWYERS RECEIVE A LUMP SUM PAYMENT BASED ON A SIX MONTH HANDLING OF FAMILY LAW ISSUES WITH ANY FURTHER COSTS HAVING TO BE MET BY THE LAW FIRM.	1/8/2023 7:06 AM
85	FC was horrific, it was hard. You are not protected or supported. You are made to sit there with the man who victimised you and your children. Though saying this it can be done. I was in court through the magellan list, serious physical and sexual abuse of a child. Horrible atrocious I did not think I would survive but I did. The worst is the aftermath trying to move on with no money no support. All these years later I am still poor. Women need more financial support ongoing after this. Help to stay and heal and raise the future generation not hassle and work to pay and provide	1/8/2023 7:03 AM
86	It was a humiliating and degrading process where the victim is never believed, accusations can be made and are believed by courts with no evidence. The process is extremely traumatising to everyone. What the courts don't know is there was severe DV going on with his second wife and I have just discovered drawings that depict this violence and have heard some truly awful things.	1/8/2023 7:01 AM
87	They allowed it repeatedly and dragged it out. Because it stayed in court it seemed to validate his anger.	1/8/2023 6:35 AM
88	Frustrating and devastating	1/8/2023 6:24 AM
89	The courts appear to be female biased and as a male I had next to no chance of receiving a fair chance. If I had did what my partner had done, I would have ended up behind bars. The only time a male receives his or more fair share is in the Child Support cases.	1/8/2023 6:09 AM
90	Horrific	1/8/2023 5:16 AM
91	Heartbreaking. They don't care. They won't even read the evidence.	1/8/2023 4:52 AM
92	Very good experience with FC. Deliberate and prolonged attempt to alienate father made my malicious and vexatious mother. FC supported the rights of infant child and made appropriate Orders always. Including protecting the father (and by extension child) from further malicious allegations of mistreatment of the child with appropriate, short term supervision Order. FC process very good on this occasion with child's rights protected and malicious mother interdicted	1/8/2023 3:58 AM
93	Traumatic. Focussed on notions of "fairness" at the expense of recognising children and my suffering.	1/8/2023 3:41 AM
94	Incompetent and enables further abuse. I spent \$70,000 in UK court to get home to Australia. Now in Australian court where little to no progress has been made.	1/7/2023 9:10 PM
95	Took too long Children not heard Violence not taken seriously Children still forced to see perp	1/7/2023 8:45 PM
96	Other party had mental illness Independent Childress lawyer was incompetent & biased	1/7/2023 8:40 PM

	against me	
97	Little scrutiny of perpetrators of domestic violence and expectations their victims can coparent with them.	1/7/2023 8:25 PM
98	My daughter was sexually abused by my ex-wife's partner which was confirmed by DOCs. The court is insisting my daughter reinstigates a relationship with her mother even though she knowingly failed to stop the abuse. I daughter has no interest in seeing her mother and is now just milking the situation for everything she can get. Not a lesson you want a child to learn.	1/7/2023 7:37 PM
99	Stressful, retraumatizing, frightening. It takes so long and is so stressful and exhausting, when combined with full-time work and parenting it is not only emotionally draining but also physically brutal - the stress is real and has long-term effects on the whole family.	1/7/2023 7:10 PM
100	30 years ago coercive control was not really recognised. Now my past situation is very clear and recognised	1/7/2023 7:08 PM
101	Awful. Dehumanising. Perpetrator being offered up as "good bloke"	1/7/2023 6:36 PM
102	Ignored. Judge even made an unfounded assumption about my mental health. I was the bad guy who left my wife for refusing to end her affair. Nervous breakdown afterwards and I haven't worked since (█ years).	1/7/2023 5:39 PM
103	I was a child victim of domestic violence █. Many years of therapy. Primary family now dysfunctional.	1/7/2023 5:20 PM
104	Will expand in the interview please	1/7/2023 5:20 PM
105	Frustrating, exhausting, slow, ineffective, cold	12/8/2022 8:51 AM
106	First word that comes to mind is traumatic! I am a migrant and come from █ I was shocked and appalled by the system here and how it favored the person using violence. During the duration of my experience of DV perpetrated against me by my sons father i had a number of services involved in particular during the time of attempting to leave and end the relationship. Child protection were involved the years prior to me going to family court. Child protection removed my son from my care due to protective concerns, however i regained custody within a couple of months. Child protection stayed involved in our lives for approximately two years, the father (PUV) never was allowed to have unsupervised access, reasons being that he was not engaging with CP, failing to do any UDS and refused to engage with services. His mother who was supervising access had numerous reports of her not being suitable for supervision. With evidence based reports of her not even being in the home while supervision was supposed to be taking place. During these two years the violence continued with a total of 74 breaches of IVO reported to police, yet the access between PUV and child remained. Once CP closed the case i became fearful of how the PUV would respond as i no longer wanted to continue access/visitation in particular because he wouldn't legally be required to be supervised. I attended and begun Family court proceedings because PUV refused to resign my sons passport. All documentation from CP was subpoenaed and shared with Family court Magistrate.... he still allowed fortnightly visitation!! I was shocked the evidence showed the complete lack and disregard the PUV had towards the law, the dangerous and consistency of the violence being a risk of life, he has clearly no interest in rehabilitating his behavior, continued with his drug use and displayed violent and harmful behavior towards myself and my son. His mother was tired/exhausted and had begun indicating her own safety concerns with PUV and no longer wanted to supervise access. Court ruled he would attend a contact center, which he rarely turned up to, wasting our time and causing my son all sorts of feelings. The case continued on and on with little engagement of the PUV, clear evidence of continued harms and violence being perpetrated against us. PUV showed little interest and ability to have a healthy relationship with his son but the case went on!!!! Magistrate each time navigating options for PUV to have visitation???? Until PUV stopped attending court. I hate to think how the courts would have moved forward if the PUV continued to attend hearings!?!? Complete lack of accountability toward PUV. Where are our rights as survivors, how can we protect our children against a system that fails to do so!!!	12/7/2022 11:28 AM
107	Out of date, pre-concept	12/7/2022 1:26 AM
108	The video link in █ the registrar seem to not know what to say. The phone call link in █ The judge know exactly what to say. I had a feeling that since the courts have been amalgamated to make the federal circuit and family court of Australia that people who represent family law matters don't know what to do or don't know what they're doing.	12/6/2022 9:47 PM

109	They believed the other parents false allegations of dv , even though the evidence was either hearsay or non existent. Not a good outcome at interim stage.	12/6/2022 9:38 PM
110	I have experienced high costs, condescion, abuse minimising and denial, threats and coercion in dealing with lawyers and courts (FVO), I have heard about Family Court from other survivors including in the stakeholder report for the National Plan that describe it as 'the head of the abusive triangle', who have lost custody because they told the truth about the abuse. I am afraid to go to Court but have to because of perpetrators refusal to comply with financial disclosure law. I have asked if it can be handled out of court with judges direction for him to disclose, but lawyers refuse or say no. The costs of court will be exhorbitant and highly stressful, a transcript of court alone costs 15K, which is a massive barrier to justice. There must also be an investigation into unregulated experts that decide child custody and the huge costs of family law and court and is all about dragging out cases for the profils of the court and the law. Victim-survivors are stripped of assets, superannuation and homes as a result, and lose their employment as they need to attend court over many weeks and years. This affects their and their childrens lives and welfare, the court is not acting in their best interests or for safety. Children have been harmed, traumatised and killed after unsafe child contact and loss of custody to abusers which was forced by the court - the court, experts and family law are never held accountable for these harms.	12/5/2022 5:14 PM
111	I was treated like a second class citizen and my abuser held majority custody because they unilaterally stole the child from my care prior to proceedings	12/1/2022 11:07 AM
112	They never looked at the best interest if my son. They allowed the perpetrator to drag me to court with all kinds of made up 'reasons'. Granting visitation rights to perpetrator ruined my son emotionally, psychologically (maybe more that I am not aware of) that would not have happened if they did not grant visitation what I asked for and fought for.	11/28/2022 8:23 AM
113	Numb. Even my lawyers were working for the other parties. My evidence ignored and worse. Vile behaviour.	11/27/2022 2:06 AM
114	Mortifying. To witness a man discriminated against by judges when we are supposed to live in a fair country where supposedly once upon a time we may have been considered equal. DNA paternity fraud and evidence refused to be looked at by the courts, judges, police, chief justice. Absolutely criminal and these people (cause that's all they are too, people) are ok with themselves. I say the devils on the otherside awaiting them. Even death threats and defamation slandered by the mother of the child all ignored by these people who sit in their administrators position holding authority. It's cruel watching what men are put through. Absolutely cruel torture. Mocked and made fun of by a judge. Absolutely pathetic behaviour.	11/23/2022 6:09 PM
115	Very unfair. DV was not taken into account. Made out to be the alienating parent trying to protect children	11/22/2022 3:44 PM
116	Extremely long and painful process that has taken way too long and no party held accountable for any delays	11/22/2022 3:34 PM
117	Atrocious life changing. I have lost everything I ever earned to third parties.	11/22/2022 12:10 PM
118	Ex partner claimed scared of me when she had kicked and spat on me. I was not physical. Both unhappy. I wanted to coparent. She wanted me to pay for not loving her . She took my son from nsw to wa without my knowledge as I did not go for orders hoping we could be freinds .courts listen to her version and silence me. Courts also seem to promote adversarial approach which prolongs alienation and takes more dollars better spent on children .	11/22/2022 10:34 AM
119	Destructive. Horrendous. Abusive.	11/22/2022 10:28 AM
120	Scared. Unsure of protection	11/22/2022 10:14 AM
121	After █ years of my ex husband trying to get access tp the children only █ every █ weeks as he was workong overseas and █ years after the forensic psychologist who did family report recommended no contact orders due to what he said was the 'significant risk' my ex husband posed due to his 'sociopathic' behaviours and ability to 'manipulate professionals and the system against his own wife' and what he described as his concern he had commenced family courn proceedings for 'ulterior motives' proposed no contact orders - they were signed by consent meaning the last █ years had been for nothing. All that money wasted, court orders restricting and micromanaging our lives lile i was a criminal for nothing, my kids dragged from their classrooms and interviewed by DCP without my knowledge, terrified and confused for nothing -no apology and no admission he had done anything wrong. Then because of the re-	11/22/2022 8:43 AM

traumatisation and upset FC caused, my lawyers then said I didn't have capacity to instruct them and I was forced to have a case guardian take over, removing my ability to speak for myself under the law, substituted decision making which is a human rights breach. A case guardian does not have to liaise with the person they are substituting and does not have to act on any of the requests but only has to make sure the correct process is being followed so my ex husband's lawyers have targeted this position constantly trying to force them to agree to a financial settlement when I know he has other things he didn't do overseas but no one will listen to me. Recently at a consultation conference the case guardian and my lawyer had agreed to a financial settlement that locked away all of the cash funds from the asset pool into an offset of the mortgage account for [redacted] years with maybe unable to access it which was said to be in my best interest as it would lower the mortgage I had to get in [redacted] years time when he stopped paying it. Nobody called me during the day to even discuss this and when I found out I told them this leaves us in exactly the same position at the mercy of him having to beg for every extra resource and him being able to be aware of everything we need and dictate what we have because I have no access to cash. They effectively were signing me up for [redacted] more years of domestic violence and financial abuse and they didn't even care. Also there was no question about my ability to manage my advisers and this top of agreement across the line dictating what I do with my money for the next [redacted] years. In the family law act its States do not have capacity someone has to be suffering from a disability and I do not suffer from trauma caused by the person that they are sitting in a room negotiating with while I am forced to sit outside and have no involvement at all. I don't know what to do or how to get out of this situation. I can't get new lawyers as I have no funds left, I can't overturn the finding of no capacity as the report from a Psychiatrist costs \$5k I don't have. I'm at a loss as to what to do and have the very last power I had, my voice, taken off me. His right to use the courts against me is given more weight than our right to not suffer more abuse being forced into the family court system. I didn't know this could happen in Australia. He has destroyed our lives and is now being allowed to destroy our future and everyone can see what is happening but no one will do anything to stop it. It feels like our lives have no value.

122	They didn't want to understand the dynamics at play with PA and even though I came away with orders that provided for shared care the alienated never followed them and I was told as the kids had aged out there was nothing the court would do to help the alienating parent follow the orders.	11/20/2022 7:08 AM
123	No regard whatsoever for FV. Unable to recognise abuse of child. Perpetrator able to abuse the system to inflict systems abuse	11/19/2022 10:30 PM
124	Situation got to a point where ICL was awarded and supported my case, therefore 2 v 1 and judge still supported the 1 - the alienating father	11/19/2022 2:48 PM
125	Horrible interstate proceedings between South Australia and Victoria [redacted]	11/18/2022 8:17 AM
126	Horrendous attitude towards me. Despite my ex earning 3 times more than me in the [redacted], he was awarded Legal Aid which meant he had representation and I did not. The court appointed psychologist viewing me interacting with my children was the worst day of my entire life to date. My ex lied in court consistently. Thankfully my kids who are now [redacted] and [redacted] text and call me regularly and I see them most weekends. As soon as they are old enough and the ex and court is not involved, change happens. My court experience left me stressed, and suicidal. Initiating court proceedings was the worst mistake I ever made. I would have been better off not doing anything, it tore my life and my family apart. The magistrate was uncaring / the legal jargon deliberately baffling/ the fact you can't call and email and it is all done via snail mail just creates even more barriers. The fact that it took so long my [redacted] boys were already over 12 by the time it ended. When we first separated my ex went to the [redacted] for [redacted]. During this time I was solely responsible for the kids, he gave no financial support. One day I came home from work and my nanny said "Your husband picked up your kids" I had no idea he was in the country. Also during his time in the [redacted] he had installed Elite Keylogger software on my computer and was spying on me. The court disregarded the fact he had abandoned his family for [redacted] and had spied on me.	11/17/2022 12:43 PM
127	Both my exhusband's and my own lawyer, nor the Judge nor the Court Reporter recognised that my exhusband had a very clear agenda of perpetuating domestic violence and PA on the children and myself. My exhusband did not submit any evidence during the Family Court and DVIO proceedings and therefore kept his costs low, nor did he respond to any third party's request for information. Whilst I on the other hand did respond to third party's request for information and submitted evidence which is very costly to compile. For both the Family Court and DVIO proceedings, my exhusband made an offer to settle 2 weeks before Final Hearings.	11/17/2022 11:57 AM

My lawyer suggested I accept my exhusband's offers to settle as his offers were reasonable and the Judge may view me as antagonistic. I am surprised there was no acknowledgement of what the children and myself had been through, the needless costs, the use of the legal system and my exhusbands use of domestic violence and coercive control. The Courts facilitated this on myself and our children.

128	<p>█ years in and no judge has ever looked at the evidence of abuse EVER, even when I've been allowed to submit, and in both the final trial and contravention trial the judge forbade me from putting in evidence of the abuse (or anything in the final trial), the judges have just believed every unevicenced lie out of my ex's mouth and not let me even defend myself or my children from ex's lies</p>	11/17/2022 10:43 AM
129	<p>Its expensive and time consuming. The only ones that benefit are lawyers. Best practice is to give in to get out of the court system.thars a really sad thing to say. The narcistic abuser continually lies so that you feel like you are going crazy. Tgey drag put court and won't agree to anything. The court system enables them..</p>	11/17/2022 6:50 AM
130	<p>Damaging and unhelpful. No justice for victims.</p>	11/17/2022 5:51 AM
131	<p>The courts have nothing to do with justice and simply provide a method where unscrupulous lawyers can ramp up the conflict by those with personality issues and milk those that enter the system for as much as they can, transferring wealth away from the children, denying them access to good parents and robbing them of their future. My direct experience is outlined in the book "The Pinball Machine The Family Separation Industry and Parental Alienation" <a href="https://www.trevorcooperauthor.com/">https://www.trevorcooperauthor.com/</a> Up to date information on Parental Alienation can be found at <a href="https://emmm.org.au/">https://emmm.org.au/</a> While I still could use support I have no faith in the feminist driven support industry and when recently needed support found it was around \$120p/h above scheduled fee (and doubt they have any idea what they are doing in regard to male victims of DV and Parental Alienation). I will not provide a phone number when I do not know who is responsible for running this survey!</p>	11/17/2022 5:28 AM
132	<p>It has been absolutely horrendous. I have discovered corruption. Been treated like an animal. 20 days in a witness stand being attacked. █ was the most disgraceful human being I have come across. She was my ICL. She went from that to a Magistrate to a Judge. She is an absolute disgrace to survivors of abuse. She needs to be exposed for the fraudulent person she is. It is a cartel in WA Family court of corruption.</p>	11/17/2022 2:16 AM
133	<p>it not up to date and with prejudices</p>	11/16/2022 10:00 PM
134	<p>They completely dismissed DV and PA first time around. I was not supported and not believed even though the police had taken out the DVO and the children were named as protected. I was told not to speak about my concerns for my childrens safety or it would go against me and it was true.</p>	11/16/2022 9:44 PM
135	<p>The court process is far far too slow and is far too cautious, which I understand, but it shouldn't be as long as it is</p>	11/16/2022 8:52 PM
136	<p>My ex-wife had an affair and manipulated the system so she could breach consent orders and move interstate with the children. She made false allegations and was never required to provide any evidence to back them up. The court seemed to believe her automatically even though her stories repeatedly changed and she had actually been physically and mentally controlling throughout our marriage. But you can't tell people that because you are the man and no one believes DV happens to men. It seems the court was completely under resourced and the magistrates and judges had no training in female perpetrators, coercive control or parental alienation. Our case dragged on for so long that by the time we had any sort of hearing she had completely turned the children against me. She ended up with sole custody and I haven't seen our children in █ years.</p>	11/16/2022 7:50 PM
137	<p>A continuation of abuse Enable the perpetrator to continue using the system Victimised . Has completely ruined myself and my family's lives.</p>	11/16/2022 7:50 PM
138	<p>Traumatic, negligence and incompetence of "experts", ICL; financially ruined; broken</p>	11/16/2022 7:47 PM
139	<p>I have quite a lot of proof though the Judge does not want to hear it E.g. My son missed out on █ days when he was in █ class. The school miraculously lost his report cards, this was subpoenaed though nothing was found. He didn't even ask how this could happen My son was completely addicted to the screens and would stay up all hours of the night. And his mother didn't care he never got enough sleep My kids mother would toilet them, brush their teeth, do</p>	11/16/2022 7:25 PM

their homework and have them copy it in their own writing She would not let my kids grow up. She went as far as holding my son's penis to pee and wash him with the door locked, up to the age of █ years old until I had enough courage to put a stop to it and report it The judge doesn't want to know about it

140	Don't know yet as still waiting but daughters ICL favoured father completely and did not acknowledge alienation and family report writer barely recognised it. Son's ICL was in favour of me and thought the father was appalling but did not recognise the coercive control and alienation	11/16/2022 7:22 PM
141	Absolutely frustrating, and ultimately devastating. █ years later and still struggling with the outcome and the perceptions that come with not having your children in your life any more, and then there is the financial recovery from a very low base.	11/16/2022 7:21 PM
142	Biased and dysfunctional system not fit for purpose.	11/16/2022 7:06 PM
143	My matter is still pending. The court has delayed this to the point my children have gone from asking for more time with myself in supervised visits, whilst allegations were being made. To now voicing I am the abuser & they never want to see me again. The court will not recognise my previous claims of DV & coercive control long before the allegations. A notice was risk that the children were being coerced against myself & my family was submitted 10 weeks before the allegations were made & my children were taken.	11/16/2022 7:03 PM
144	An adversarial system which set me up to fail from the beginning. I was granted legal aid a number of times - sacked the first legal aid solicitor as they never followed up in a timely matter regarding documents the child mother was meant to provide. Then my second legal aid solicitor placed a subpoena to gather the child's record from the department of child services - mother was being kept a careful eye on regarding child safety. Then a mutual agreement was reached with child mother for interim child orders, me with supervised contact for the first 2 months, graduating to overnights & longer stays. BUT, my solicitor cancelled the subpoena because an agreement was reached. How wrong is that! I still don't know what is in those records. The mother continues to use parental alienation behaviours in me and my Son over the last █ years - I already moved 2 States away to protect my mental health. I see my Son and talk to him. I could write a book.	11/16/2022 6:40 PM
145	Child abuse allegation upheld with very little evidence	11/16/2022 6:36 PM
146	Would not consider me, as a male, that I was a victim of DV and yet believed her false allegations. Best summed up by the usual rhetoric that only men are perpetrators and women are victims and too blind to see it the other way. Family report writers and ICL all believed it too, but ignorant and dismissive to the evidence. It is the child that suffers the most here. Reading questions below, email only. I have been through the worst possible experience and yet not believed. I know what discrimination feels like first hand. Judge knew I couldn't afford to appeal and structured her reasons to make appeal knowingly difficult. It's naive to increase DV support for allegations when there is no mechanism or sanction against those people that make false allegations. It is such a powerful tool used by women and yet, nobody seems to acknowledge that.	11/16/2022 6:28 PM
147	Horrific. Not being believed, my children at risk, the cost of paying for SEW and Family Therapy as other party refuses to pay. Incompetent ICL who has being negligent.	11/16/2022 6:24 PM
148	Stressful and costly. Mother claimed I neglected and abused my own child, all baseless but these claims with the help of IVO stopped me spending time with my child and not long after my child was completely alliniated.	11/16/2022 6:20 PM
149	The family court recognised I was dealing with a narc but you are sent away to navigate it. Even though I was given primary care, he manipulated the children to live with him more and he contravened court orders. I only just made it through because I learned to use healing techniques to shift the trauma. I am, to this day, having to navigate severe coercive control from my ex husband....even █ YEARS after the split . I cannot take out an IVO because he shows it to the kids and turns them against me and then they don't want to come home. My hands are tied. Therapists do not understand parental alienation and when you mention abuse they do nothing about it. The abusive ex partner just continues to do what they do and we, as survivors/victims are told by therapists how to behave when we are NOT the problem. I even had █ support the abuser and I had an IVO in place at the time. They contributed to my trauma. The courts do not recognise the rights of the child under the UN charters which they are SUPPOSED to. I will not enter these fake courts so I choose to put up with the	11/16/2022 6:17 PM

coercive control and witness the manipulation of the children because there is nothing else I can do. The system is broken, corrupt and has blood on its hands. These judges need to be locked up!! I have no respect for them. They work in their ship in dry dock 'court rooms' and have no right to be there.

150	Too slow	11/16/2022 6:15 PM
151	Judge in interim hearing said there was no abuse based on two affidavits and decided I made it up and awarded majority custody to him in our house and then expected me to negotiate with my abuser she put in the position of power. The abuse continues. My eldest is completely alienated. My ex loves to tell me I bought it on myself by what I did (I ran and was punished dearly by him and court). I earned more and had \$█████k in an offset account to the mortgage. This in Judges eyes meant no abuse because apparently you cannot be a victim if you earn the higher salary and two I had means to leave. This completely ignored the fact the reason I stayed is he threaten to take the boys, to drag me through the courts until there was nothing left (in progress) and destroy me, which is coercive control. He is determined to drive me to suicide which is legalised murder. I pretty much had an emotional breakdown post interim hearing and it was a full year before I could handle my stressful job on top of all of this. I paid \$18k for a Family Report which was never used for anything and if we went to trial would be so out of date it would be useless. Family court is a tool with which abusers continue to abuse. The length of time it takes and the toll it takes on mental health is enormous. The court claims to be protecting children but it is destroying adults and depriving kids of a loving parent.	11/16/2022 6:11 PM
152	One sided, bias, letting the other side slide on everything	11/16/2022 5:45 PM
153	Risk Of Serious Harm to children and Family Violence not addressed for Interim Hearing which produced orders that have caused more harm to children and perpetuated systems abuse by the perpetrator of Family Violence.	11/16/2022 5:24 PM
154	Biased towards the perpetrator in the extreme. No understanding of coercive control. The ICL had to be removed because he was deemed as interfering in the Children's therapy. Promises were made to the children that were not followed through on which had catastrophic consequences. ██████ and ██████ wrote extremely damaging and grossly untrue reports after speaking only to the ██████ principal who was complicit and had to be court ordered to cooperate. They did not speak to the children's treating therapists. Even once the crown prosecutor and police obtained restraining orders the Family Court was adamant about the perpetrator's 'goodness'. Comments from the senior registrar were removed from the recordings. There is so much that occurred.	11/16/2022 5:06 PM
155	Court did not recognise PA in my case. The court was very slow to act. It took 7 years to reach a conclusion. Family and Domestic violence were supported by the latest scientific research into Parental Alienation Behaviours. Refer to <a href="https://emmm.org.au/">https://emmm.org.au/</a> My case had an element of international child abduction.	11/16/2022 4:53 PM
156	Torturous. Not child focused. Used as a weapon by abuser.	11/16/2022 4:05 PM
157	Biased	11/16/2022 3:48 PM
158	Long, delays, expensive and victim blaming	11/16/2022 3:48 PM
159	They did not recognise parental alienation despite the extensive research that parental alienation has been empirically validated. The court is pushing a model of parental alienation by Janet Johnston that victim blames. It is what the AFCC, now Pacifica Congress is teaching judges and practitioners working in the courts. <a href="https://psycnet.apa.org/doiLanding?doi=10.1037%2Fdev0001404">https://psycnet.apa.org/doiLanding?doi=10.1037%2Fdev0001404</a>	11/16/2022 3:46 PM
160	Heart breaking and soul destroying	11/16/2022 3:45 PM
161	An absolute nightmare. Every avenue that should have protected myself and my children failed. The abuser got away with everything he ever did. Stalking, rape, break and enter using the system to coerce and control.	11/16/2022 2:21 AM
162	Moral injuries and loss of my son to the perpetrator	11/15/2022 10:42 PM
163	I sought the family court, as directed, for help and protection. That's the furthest from what we received. Institutional betrayal. Systemic corruption. I was insulted, dehumanized, demoralized, pathologized, and even criminalized! Stripped of all said rights, my voice, my choice, and my child. Opposing counsel has been an attorney in the community for over 30 years it was very easy for him to commit perjury and Bully and threaten and follow through. It's	11/15/2022 4:45 PM

been almost [redacted] years since I've interacted with my daughter. Calling it a life beckons daily! I now have complex PTSD as well as LAS!

164	Atrocious, disgraceful, inhumane, pathetic, misogynistic, patriarchal abuse, family court abuse, inefficient, traumatic, violating, deeply trespassing, archaic, horrific.	11/15/2022 4:40 PM
165	[redacted] years and counting. Started with court - he would not disclose. Sent to arbitration. Arbitrator orders appealed. Back in FLC another appeal happening now. Refusal to acknowledge anything! My story is a fascinating example. When all the evidence was there, omissions by the Perp...they just refused to acknowledge. I'm now fighting for justice... There will be no money left.	11/15/2022 11:39 AM
166	Absolutely the most expensive and stressful time of my life. The only time I did not take a lawyer out of the 12 interactions I was told by a registrar I should not have contacted the police regarding a stalking matter. My ex lied continuously even though the evidence I have contradicted his version. There was no consequences for perjury or theft of joint funds during settlement period. My ex partner used the system to drain the asset pool and try to destroy me and his children.	11/15/2022 11:05 AM
167	Absolute nightmare. Corrupt judiciary all through system from police and court staff	11/15/2022 10:58 AM
168	The perpetrator was well resourced and well connected, my matter was only prioritised when I involved the media and other politicians. It was only taken seriously by the judge when I produced evidence and a 140 page affidavit from his second wife who experienced the same things. The highlights reel is all on Google ([redacted])	11/15/2022 7:08 AM
169	It was not nice. The family court report writer destroyed my case as she told blatant mistruths throughout her whole report that was listened to because she is a supposed reputable expert witness	11/15/2022 7:01 AM
170	Farce, re victimised, criminalised, treated as if no rights Went from victim of perp; to victim of police , to victim of court processes, systems abuse, all because vexatious, compulsive liar, perpetrator could afford lawyers. Hostile courtroom. [redacted] hostile, no idea of tax havens, etc. Forced me to prove de facto longer than 7 months. I proved [redacted] years. She was hostile and prejudiced right up until light bulb of last day of de facto when she realised my witnesses and I all telling truth. By then we were in debt, traumatised and homeless. Been coerced into withdrawing fv order.fv escalated. Under care of fv psychiatrist [redacted] who says PTSD FV, systems abuse, coercive control. My ex used a fam law crt costs order to Bankrupt me in a court which had no jurisdiction. Bankruptcy expires but court cost order do not. Did to stop Mr leaving the country to be with my eldest son and grandchildren .I am effectively his open air prisoner. 64 been in fv housing since before he bankrupted me, [redacted] years now since [redacted] They have used crts to silence me and hide now judge [redacted] multiple egregious errors of fact and law, esp using fv order as date of separation but not giving any weight to notice of risk, fv order by [redacted], disconnection notices for essential services, eviction, welfare of [redacted] yr old and me wholly dependent upon Perp being proved. Also [redacted] Federal Circuit Court did not have powers to make property, costs or maintenance orders. Assets over \$ [redacted] m, fv, complex all meant to be transferred to family law court. [redacted] did not do any pre action or make any proper orders. Did not protect assets. Have transcripts. When I appealed was subjected to vex litigant declaration. No lawyer, no transcripts provided then, no psychiatrist assessment, 3 days to prepare. No acknowledgement he was threatening to Bankrupt me with costs order, needed to be set aside no acknowledgement of ATO returns not being filed for final orders in [redacted] but I showed crt that he had denied any investment in tax haven [redacted] but in same time she found that he had invested over \$ [redacted] mil Aust funds. My ex defrauded Commonwealth and she said nothing to do with family law!. I showed his new [redacted], new [redacted], fraud upon court and others, she ignored and maintained her orders that he had no money! Farce. Psychiatrist [redacted] I am not, never have been vexatious. He is. His lawyers allege paid only [redacted] for [redacted]:years legal work!!! Principal of [redacted] firm, perjury and breached every rule of dealing with self litigant, disclosure rules, discovery and wrote to Chambers ,third parties faxed to police. So much more I am still destitute, in fv flat, trapped by Bankruptcy and theft of everything me and my [redacted] sons possessed. He took motor out of my [redacted] Still, [redacted] years on, no remedy. [redacted] assaulted me in front of a court network support worker. It is horrendous story of major cover up . I have sought NDIS support and obtained it. Have vocat form completed by [redacted] and yet magistrate refused to make FV order. She made one against me for him and I overturned that.it was to shut me up .	11/15/2022 6:53 AM

171	Absolutely traumatized	11/15/2022 6:08 AM
172	Horrific experience, diminished as a person and a parent. No consequence for perjury means Perp says whatever he wants.	11/15/2022 5:02 AM
173	The court colluded with my abuser to traumatise me further. My mental health deteriorated as a result of the abuse and the court could only focus on "what is wrong with this woman?" Not "what has happened to this woman?"	11/15/2022 4:32 AM
174	Despite raising risk of harm to the children & myself they were overlooked for 12 months. Now being looked at more for child safety (\$80k in). Still no acknowledgement of domestic violence.	11/15/2022 2:25 AM
175	Horrific. The judges are desensitised. I would like to tell my story in person please	11/14/2022 8:26 PM
176	Traumatizing, hell on earth. The truth is ignored and the perpetrators false narrative takes on it's own life force. Perjury by the perpetrator was ignored. My own legal team failed us with no understanding of family violence, coercive control or an abuser with a narcissistic personality. My abuser was a senior police officer, he manipulated the court. Going by the Judges comments he was a perpetrator himself which is why he preferred the perpetrators false narrative. What happens in family court is literally unbelievable - Hollywood could not script it better.	11/14/2022 8:23 PM
177	Not worth it, I'm worse off.	11/14/2022 7:33 PM
178	Far worse than the abuse in the relationship. Nearly killed me	11/14/2022 7:08 PM
179	Your answers don't allow for enough complexity. The first time I went straight after Dv he saw her 3 days a week and she was █ months old. Then he breached orders by assaulting me at handover at my unit. Then I had to go back to court to get handovers changed to pick ups at police station. Then he stopped coming over time. I didn't go back to court because by this stage was working part time didn't qualify for legal aid and couldn't afford it. Also I didn't want to live at court and allow his abuse to continue (eg waiting for me outside of court, causing constant delays etc, dragging it out). Years later he asked for some custody and alleged alienation. My new partner and I used every cent we had saved for a home deposit in paying to go to court to fight for sole custody. It cost over 30 000. We were broke but didn't qualify for legal aid as both of us working and we had █ other kids. Years later I was awarded sole custody. She is █ now and he recently tracked her down on social media and asked her to meet him. She said she didn't want to - he started abusing me again to her. It was upsetting for us all. She blocked him and we haven't heard from him since. I am praying he doesn't turn up at her work or around our area. I am still scared of him and his abuse continues. We broke up when she was █ old. She's now █. I am so sorry that my daughter has had to go thru this her whole life because of my worst mistake. The system is completely broken and offers women children limited support and a care less attitude. There's no accountability for him and his abuse he continues to behave bandage and continues to get away with it.	11/14/2022 4:56 PM
180	Na	11/14/2022 3:57 PM
181	Not very supportive of the respondent. Believed the word of the DV perpetrator who was also the applicant.	11/14/2022 11:22 AM
182	Woefully inadequate. Lots of victim blaming language like "high conflict and toxic" relationship. Triangulation used to kidnap eldest child. Other children kidnapped on Mp there day.	11/14/2022 10:44 AM
183	Pantomime time.	11/14/2022 9:46 AM