

# Dragonfly Whispers

The experiences of women who have lived  
with domestic violence  
and their journey through the Family Court

Sera's Women's Shelter, North Queensland Domestic Violence Resource Service and the North Queensland Combined Women's Services



**The experiences of women** who have lived with domestic violence **and their journey through the Family Court.**

## Dedication

For all the women who have **not** survived  
their journey with domestic violence  
or perhaps with Family Court processes.

We will not forget...

And we will continue to share the stories of others  
in the hope that safe and equitable outcomes evolve.

For Sera's Women's Shelter,  
North Queensland Domestic Violence Resource Service and  
North Queensland Combined Women's Services.

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## Introduction to the Journals

You have been offered an opportunity to share a journey with ten very special women through magical terrain. Magical, you ask? Don't you mean difficult, heartbreaking, cruel or perhaps challenging?

No, the women who opened up parts of their lives for this booklet chose the word 'magic' with deliberation. Dragonfly Whispers chronicles much more than the challenges these women have faced. Yes, there are times when the women connect with feelings of outrage and fear. As the landscapes of violence and Family Law evolve you will also bear witness to stories of courage and hope and commitments to truth, integrity and optimism.

The ten snapshots of women's lives were gathered from a series of interviews held in North Queensland during 2005. Originally, many of the women offered their stories as a contribution to a small needs analysis in Townsville, North Queensland. The three services responding to women affected by violence (Sera's Women's Shelter, North Queensland Domestic Violence Service and the North Queensland Combined Women's Services) were seeking ideas on a project that could respond to women accessing the Family Court where there had been violence from the separating partner.

Employed as the project worker, I was expecting a handful of women to contribute. Instead I was overwhelmed by the sheer number of women contacting our project. The stories were so powerful, so poignant it seemed inappropriate not to share them in more detail.

And so, with incredible grace and patience women embarked on a different voyage; one of creating exactly the RIGHT kind of document that will invite you to share their memories. This booklet reflects their generosity, their openness and their resilience. Each entry here has been work-shopped with the women involved. They have read drafts, corrected my mistakes and taken care at all times to protect the safety of their children.

Let us not forget the lethality of domestic violence: young children and their mothers may be more at risk of murder by fathers and husbands immediately after separation than at any other time (Humpheys, 1999; Mouzos & Rushforth 2003; Patton, 2003). So some details have been altered, some children's names and ages changed. But the essence lingers as potent and powerful as the original stories.

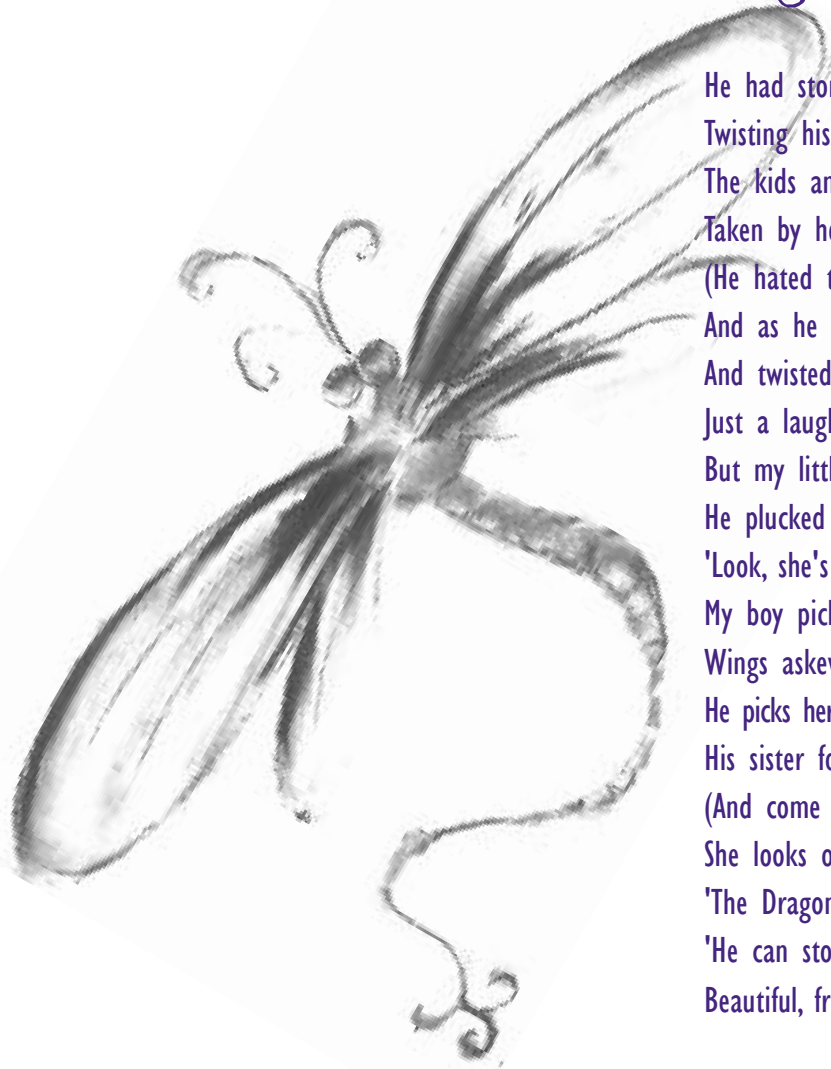
My thanks to the many women who inspired this project. Thank you to the women whose stories are documented here and heart felt gratitude to those whose experience remains shrouded in order to protect those, sadly, our legal system cannot.

Thank you too to Sera's Women's Shelter and the Steering Committee for funding the project long past anticipated completion date in order to allow the voices of women greater platform.

May this year of change in the Family Law Act also bring with it appropriate resourcing for the most vulnerable in our community. And may the global wish for peace on earth begin first in the home.

**Beth Tinning**

## Dragonfly Whispers...



He had stomped on it,  
Twisting his boot with scornful laugh, as if to make a point.  
The kids and I had been entranced,  
Taken by her glistening wings, her skill in navigating twirly flight paths.  
(He hated that, you know, anything that took us away from the fear of him...)  
And as he strode away, it felt as if it were my life he'd stomped  
And twisted his boot on our children's joy; no regret or shame.  
Just a laugh at destruction left behind.  
But my little boy, my wise, old soul-ed baby,  
He plucked at my sleeve and said 'Look Mum...  
'Look, she's still alive. He didn't kill her'.  
My boy picks up the beautiful, broken, battered dragonfly,  
Wings askew and legs akimbo.  
He picks her up so gently (my beloved boy) and then takes her to a soft covered bush.  
His sister follows, checking first Dad cannot see their interest,  
(And come back to smash the thing that may distract us from our fear...)  
She looks over at me, face translucent with joy.  
'The Dragonfly... she's whispering, Mum, a secret for us.  
'He can stomp and twist and break and batter... but we'll still be here  
Beautiful, fragile but yet alive; for we are strong in places he will never understand.'

Moonlight. October 2005

## Before you begin... an anchor

Before you embark on the stories within, it is important to acknowledge that the information contained in these pages is not always easy to read. Inside you will find her-stories of hope, courage and resistance. But mixed amongst these are experiences of pain, trauma, hurt and violence.

In women's domestic violence support groups, there is a recognition of the distress such information might trigger, sometimes unexpectedly. Some stories touch us deeply, for reasons we may never fully understand.

And so it is we ask that you pause for a moment...

And think, imagine, recall...

A memory from the last 24 hours when you found yourself smiling or  
laughing from joy, amusement or relief.

And if this proves difficult, stretch your memory back a week.

...one time in the past week when you engaged with laughter or a happy thought.

When you have that memory, think of a word or words that will help you recall this memory. Now write the word or words down somewhere nearby. If writing is tricky you might like to find an object that will remind you of this particular memory.

This word or object is your **anchor**.

At times throughout *Dragonfly Whispers* you will find a reference to your anchor. When the anchor appears it is suggested you take the time to be still and reflect on that time of joy, optimism and hope. Because we are asking you to...

maintain the optimism that change can come;

hope that such change will be useful,

And celebrate (with joy and determination) every little win.



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## 1. Barbara (67)

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*Barbara and her husband 'Blue' have been separated for two and a half years at the time of interviewing. Married for 49 years, they have two sons who are now in their late forties with families of their own. Blue has recently retired after many years of paid employment. Barbara works as a nurses aid in a nursing home.*

The women whose lives are captured in this book chose to use the same name, 'Blue', for the partners who were violent.

The word 'Blue' was representative of many facets of the men in the case studies. Blue is a colour that can mean peace... and yet blue is also the colour of a seemingly tranquil expanse of water in which human beings of all ages can drown...

'Having a Blue' is a common term in Australia for an argument; many of the women interviewed had experienced the violence as minimised by the perceptions that she and her hubby were simply 'having a blue'.

Finally, the strategies and tactics used by the men in each story were so similar it seemed at times as if we were discussing the same man over and over again... and so 'Blue' it is: our generic name for the seemingly generic perpetrator.

### When the Court simply rewards the bully

My name is Barbara and I think I'm the oldest of the ladies here. It wasn't easy to talk about my life with my husband, my ex-husband, but I'm here because I want my story, my life to make a difference.

I'm 67 now, which is so hard to believe... I only feel like I'm 28 or 29. Sometimes I catch a glimpse in the mirror and see this familiar old dear looking back at me. It's a shock to remember that's me! I'm the 'old dear'. And can I just say how proud I am to hear myself speak so kindly of me! Wasn't so long ago I would have said that glimpse was of an 'old hag'. But now I know that is his voice, my ex-husband's voice. And I just don't want his voice in my head any more. I've worked so hard and been through so much to move him on from my life... so now I'm also moving on his little (lingering?) thoughts. Negative self talk, my new friends call it!

### Our relationship...

And him? Blue? Well we met very, very young. I was only 14 and he was 19 years old, in the army and as handsome as all get out! I was a real country girl, my family lived here in North Queensland for three generations, and with my grandchildren, well that makes five generations. Mum and Dad were pretty strict and very careful about their young daughter going out with someone a bit older. But Blue, he was a charmer from the start! He buttered up Mum, bringing her flowers and calling her 'Pretty Mum', and Dad, well he'd bring over some beer and play cards for hours.

We dated, 'courted' Mum called it for two years, and he was as nice as can be. I really thought I was luckiest girl on the planet. We were engaged on my 16th birthday and I think Mum and Dad were as happy as me, even though I was so young. No-one ever thought I would get such a match! We planned to marry in about 6 months as he was posted away by then and needed me to go down south with him.

Maybe it was then I first began to get a hint about things not being perfect? My first bad memory was on his first visit back to Townsville after our engagement. We had been apart five weeks but writing nearly every day. Mum and Dad let us go out to a dance.



**The violence...**

Well, he decided while we were out that I was flirting with someone, an old school friend, and he got angrier and angrier. His moodiness caught me off guard because in the time I'd known him I'd never seen this before. Anyway, he ended up dragging me out of the dance hall and back to his car. He yelled and yelled at me, calling me all the names under the sun, accusing me of seeing other people while he was gone.

Then it got worse. We had agreed to wait for marriage to have sex, it was one of the reasons we all married so young those days. The pill wasn't around or if it was it was very hard to get. I had loved how kind he was about understanding how important my virginity was to me, that it was going to be my gift to him on our wedding night. Well, he lost it, screamed at me that since I was giving it to everyone else he was tired of waiting...

Even now, I'm sorry to be so emotional, I know others who have had it so much harder than me, but even now, all these years later I have nightmares about that night. I was so scared and confused, I thought he was going to kill me. I didn't know who he was anymore and at that point anything was possible.

In some way it was lucky for me that it was hard for him to get inside me and I bled all over the back seat. I say lucky because other girls have told me that they didn't bleed or hardly noticed it their first time. Maybe if it hadn't been so obviously my first time after all he would have killed me? It all sounds melodramatic but unless you are there it is impossible to know how it goes.

Anyway, after it was all over he suddenly turned back into my sweet, lovable Blue. He cradled me, wiped my tears and begged forgiveness. Told me he was driven half mad by his missing me and he couldn't help feeling jealous and worried that someone would steal me away. I actually felt a little proud, can you believe it? As if somehow I was so loved, so adored by this man that he would react this way? I took it as a sign of the depth of his feelings for me.

He begged me to move the marriage forward to as soon as possible and I agreed. There was also a sense of fear in me about the possibility of pregnancy. Back then we were all terrified of being accused of 'having' to get married...

The effects of rape can impact on a woman's life for years after the assault.

If you are experiencing sad memories, nightmares or flashbacks phone your State Rape and Sexual Assault Helpline. Their number can be found in the Resource Directory at the end of this booklet or in the front of the White Pages

Pregnancy is a period of significant increased risk of violence from intimate partners. It can be a time where women feel even more vulnerable, more dependent on their partners. For many men who perpetrate domestic violence the increase in vulnerability opens up possibilities for new tactics of power and control.  
(Angela Taft, 2002)

Women can be the best informal supports for other women. Is it possible to stay connected with your friends after they conceive? Of course, isolating a woman from her friends (intimidating the friends, being rude to them, embarrassing or freezing out possible supports) is a common tactic used by abusive partners. This may result in a friend needing to protect herself.

Well, Mum and Dad agreed to the early wedding and six weeks later it happened. I was packed up and sent down to New South Wales to a cold, damp, treeless place to be a good wife. I was only sixteen... a baby.

The first few months were fine. I cooked and cleaned and massaged his feet when he got home. I started to make friends with some of the other girls down there because we were all in the same boat: young, naïve and far from home. I was the youngest by far though, and the girls nick named me the Baby Bride. For some reason, Blue didn't like this. He would get irritated when I talked about my time with the girls and he made it clear I should be home with him after work. I came from one set of rules (my parents) to another set of rules (Blue's) so it really didn't strike me as weird or anything. He would tell me he was protective of me because he loved me and because I was so young.

Then I fell pregnant. I had mixed feelings about it. On one hand we were all told from the day we were born that being pregnant is well, the best thing in the world for a woman. That was what we were meant to do. But I was young and I tell you, living on Base with the other wives I was getting an idea of just how consuming being a mother was. Blue has told me not to worry about pregnancy. He was using the withdrawal method and I left that up to him, being older and wiser. We had both agreed it would be nice to have a couple of years together before bringing little ones into the world.

I was nervous about telling him and I was right to be. He got really quiet and just walked out the door. He came home later, drunk as drunk, and then really gave me a tongue lashing. He kept asking me whose baby it was, denying it could be his. It was just awful. And it didn't matter what I said. He told me he couldn't trust me, that I had to stop mixing with the other wives on base because they were leading me astray.

That night he even spoke about forcing me to have an abortion, which was illegal in those days. It was the worst night of my life. The next day I rang my mother, crying my eyes out. But mum, well, she's a victim of her own time I guess. She more or less told me to pull myself together and that this was what marriage was all about. She was quite stern.

She told me off for 'letting' myself fall pregnant so quickly and suggested that most men would be disappointed to have their wife turn to a mother so early in the marriage. Mum was clear it was my duty to make it up to Blue, to beg his forgiveness and to simply do what ever it took to bring him peace.

#### **Pregnancy and an escalation of violence...**

And that became the pattern of my marriage. My first boy was born and was the spitting image of his dad, so much so Blue took to taking him everywhere that first year, the picture of the loving dad. What no-one knew was at home his temper was getting worse and worse. Twice before our son was born he used his fists on me. I was heavily pregnant by then, but he was still convinced I was having an affair with someone. Some days he would forbid me from leaving the house till he returned and then drop by through the day to make sure I was obeying him. I just didn't know who to turn to. Half the time (or all the time others were around) he was his charming, lovable self. But other times were unpredictable. And I really began to think there was something wrong with me for him to treat me so badly.

I couldn't leave, really, in those days. There was no pension and it would have caused shame for my parents for me to return there. But I also didn't want to leave, I was so young and I thought if I loved him enough it would all get better.

I fell pregnant the second time round almost immediately. I was right to be scared. I didn't tell him for the first few months but then I almost miscarried and ended up in the infirmary for a couple of days. He was loving and kind, brought me flowers and our older boy in to see me. The nurses were all in love with him and several were very flirty.

Then the doctor dropped a bombshell on me. I had a sexually transmitted infection and it was one that could affect the birth. I can't tell you how shocked and oh god, how scared I was. I told the doctor I had only been with my husband and so he organized a check up for him. You can guess the rest. Blue got me home, tied me to the bed and beat me. Beat me, beat me. The only place he didn't touch was my tummy. Our little boy was in the next room playing and I couldn't scream in case I frightened him. Blue was silent. It was worse than a horror movies because we were both dead quiet while he was... while he was flogging me half to death.

Although physical violence often seems to be considered the 'most unacceptable' form of violence in the media, qualitative studies have argued that women experiencing both verbal/emotional and physical abuse have found the verbal/emotional abuse as difficult or more difficult to heal.

This is the result of a number of factors: the difficulty in 'demonstrating' harm to the perpetrator; the propensity for the abuser to argue that the victim is being 'too sensitive' or 'twisting words'; and the cumulative effects of repeatedly being told one is useless, ugly, worthless or pathetic.  
(Edward Kubany, Mari McCaig & Janet Laconsay, 2003)

*'The weight dropped off me back then,  
mainly I think because of the fear. He  
was never again as brutal as he was  
during the pregnancy, but I guess he  
didn't have to be. Because from then on  
I've lived waiting for that flogging'*



After that, nothing was ever the same. Our second boy was born and Blue eventually left the army. We moved back up, settling near Mackay, but lived on acreage out of town. Yes, away from others. Leaving the army seemed to settle him down and he found a good job in town. Looking back at the photos from then I can see I was still a pretty little thing, just twenty with two gorgeous boys. The weight dropped off me back then, mainly I think because of the fear. He was never again as brutal as he was during the pregnancy, but I guess he didn't have to be. Because from then on I've lived waiting for that flogging...

He would lose his temper and scream and shout, belittling me, putting me down, calling me a slut. The boys grew up knowing their dad was like a powder keg, ready to explode. I could tell you a hundred stories but then we'd never get to the Family Court, would we?

**Home alone with just us...**

By the time the boys had left home, started their own families, the world had changed so much. Blue was still charming, a scene-stealer someone once told me, and had a continuous stream of girlfriends. My secret was that I was grateful, so grateful when he was involved with others because he had become quite perverted sexually. And he would insist on sex most nights. It wasn't making love. It was just like animals mating. Awful. I thought about leaving many times but to be honest for many years I couldn't even think beyond that day.

You see, every day I would wake up wondering what kind of mood he was in. I would be tip toeing around trying to make sure that everything was perfect. I never worked outside the home while the boys were home because there was not the time. Everything had to be perfect, you see. The house sparkled, food was home-made. Chores all had to be finished by the time he was home and then I would be sewing.

The allowance he gave me for housekeeping was so frugal I had to hand make all my clothes and most of the boys clothes. I was on edge all the time because I could never figure what it was that would set him off. It was like an 18 hour time bomb, marathon race, and there was never the energy or the time to really contemplate leaving.

I had no friends for support, because he never liked me socializing. The couple of times I did make a good girlfriend he would end up seducing her and then she wouldn't want to stay friends of course. But I was so lonely, I would have, you know. Stayed friends, anyway. Isn't that sad?

And then the boys left. He had never hit me in front of the boys, in fact after that flogging when I was pregnant he had only really shoved me or thrown things at me. As the boys grew older they grew to hate the way he put me down and kept me running. When they began earning money they would leave me bits and pieces, buy me gifts. I need to say this: both my boys are gentle, respectful and honourable husbands. I'm not saying this because I'm their mother, I'm saying this because I have seen how determined they are to be different to their dad.

**Some children choose respectful behaviour because of the violence they witnessed**

Don't let anyone ever tell you that just because children saw abuse they will turn into abusers. My boys are different because they've experienced the bullying and the verbals and they've seen the impact on me. And I am so, so proud of them both. But I have to say, I am frightened that if they are ever going to hit someone, it will be their dad. And I am scared about what might happen if that door is opened.

Well, anyway, when it was just him and me, Blue just got worse and worse. He decided it was 'time for me to contribute' and sent me out to find a job. I work as an enrolled nurse in a Nursing Home and love it. But he still expected me to keep the house spotless, make all the meals and to ensure the paycheck went into the joint account. I wouldn't dream of touching the bank account, he does the budget each week and I hate to think what would happen if anything was unaccounted for. His temper wasn't guarded now and he continued to belittle me all the time. The sex side of it was becoming brutal and I found myself starting to have 'episodes' that I thought were heart attacks. Turned out they were panic attacks, awful, awful things. I would get them shopping or at home when he was due to get there. Oh, there are no words for what a nightmare they became. Because, of course, I couldn't keep it together around him.

*'I was on edge all the time because I could never figure what it was that would set him off. It was like an 18 hour time bomb, marathon race, and there was never the energy or the time to really contemplate leaving.'*

*Anyway that night he walked in the door and started on me. I can't even remember what it was about. It was like someone switched a light on. I just looked at him and saw the rest of my life trickling away downhill with this bully.*

*'I walked nearly ten kilometers that evening until I finally got closer into town. I had no money and no idea what to do. I went into a service station and asked for a phone book.'*

If you are in Queensland and require  
emergency accommodation phone  
1800 811 811

This is the contact number for DV Connect,  
a domestic & family violence support and referral service.  
For women in other states requiring crisis support please see  
the resources section at end of this booklet.

The doctor prescribed medication and suggested I try some relaxation and counselling. My doctor is a lovely lady who has had to stitch me up when things got rough with sex and so she knew how bad things had got. But I knew there was no way he would let me go anywhere without him knowing about it. He checked the kilometers on the car to make sure my reports of where I'd been added up. Anyway that night he walked in the door and started on me. I can't even remember what it was about. It was like someone switched a light on. I just looked at him and saw the rest of my life trickling away downhill with this bully.

I turned around, picked up my purse and went out the back door. He ran to me and told me I wasn't going anywhere, forced the bag and the keys out of my hand. But I just kept walking down the drive. We were still on acreage, so I guess he never dreamed I'd keep going, but I did. I walked nearly ten kilometers that evening until I finally got closer into town. I had no money and no idea what to do. I went into a service station and asked for a phone book and then I rang Lifeline, because I had seen their advertisements. They got me on to the domestic violence people and someone ordered a taxi and let me stay in a motel room. They arranged for me to go down to Brisbane as there were no beds in the shelter nearby and I was too frightened he would find me if I stayed local.

And that was how it all happened...

#### The Family Court

We had been separated for over a year before I even thought about Family Court. That first year I spent getting whole again, as I see it. I went to counselling and groups. You know, it's taken me three years to say the words 'domestic violence'. Because he hadn't hit me for years, see? I was so ashamed at first I hadn't left earlier because the other ladies I met in the Shelter, well, they were being beaten black and blue. I felt like they deserved the support more than me.

It took me lots of time to see the other things, the forced sex, the yelling, the put downs, the money and every other kind of control, to see it as abuse. But once I did start to see it like that it helped me know I will never ever have to put up with that again.

I eventually returned to North Queensland to be closer to my boys. I have been fortunate to be employed in the nursing homes, because the joint assets of my husband and I meant I wasn't eligible for a pension or for housing commission house. I left with nothing and he had emptied the bank accounts as soon as he realized I was gone. I had nothing, literally nothing. No change of clothes. No purse. No car for transport. No furniture, no nothing. I didn't mind, actually, and I refused the offer of a police escort to go home to pick up my purse! I just didn't want to ever have to see him again.

There was something else I left behind.

My panic attacks! I have not had an attack since the day I left.

Anyway, a year later our so-called joint assets were a problem for future options, like a pension or even a car loan. I had no papers and was only vague about the assets, what we actually owned. I actually had no idea. I knew we had paid off the house years ago and I remembered signing papers to put shares in my name because I earned less. People in banks and social workers in Centrelink treated me like an idiot, and I guess I was an idiot not to know more. But I was also very, very scared to contact him to find out. I thought he'd kill me, given half the chance.

#### Seeking legal information...

Anyway, with the support of my counsellor I contacted a solicitor. Now, it looked like I was not eligible for Legal Aid because of the assets and in the grand scheme of things, they explained, they need to keep their resources for really important cases like where a child had been snatched.

The solicitor I saw said they would take the case on and be paid later from the settlement. But I explained I didn't want assets, I just wanted to be removed from the title deeds or what ever. I didn't want anything from him. Well, if I wasn't going to get a settlement, I would have no means then to pay her so she suggested I contact Women's Legal Service to write a letter formally requesting that my name be removed from asset titles and to get the do it yourself divorce kit.

*'It took me lots of time to see the other things, the forced sex, the yelling, the put downs, the money and every other kind of control, to see it as abuse.'*



Are you seeking legal advice or information?

If you are from Queensland contact  
Legal Aid regarding free or subsidised legal advice:  
1300 651 188

Women's Legal Service (QLD)  
1800 677 278

has specialist legal advice and referral information for women,  
including those experiencing domestic or family violence.

The ladies at the Women's Legal Service were very nice and they tried to get me to change my mind about pursuing a settlement. But I'd heard by then from the boys he had begun a relationship with a pretty young girl (I think she's about 35) and Lord knows, she's punished enough by being with him, I didn't want to force assets out too. I organized a post box at the post office in a different suburb so he still wouldn't know my address. I was still very scared of what he might do.

Anyway, I sent the letter and to my surprise I got one back, saying I owed him for leaving him stranded with a mortgage and the payment of two cars and a series of other things! It turned out at some point before we separated he had re-mortgaged our home and I still have no idea how or why. He was claiming that the cars were repossessed and that he had to sell off property in order to pay the mortgage. I was so confused by this letter and I didn't really know what to do.

Then I found out he hadn't paid the phone, electricity or gas bills, which were in my name. The cars were in my name too, although I didn't know this. So when they were repossessed it was my bad debt, my bad credit rating.

I had not found out about the unpaid bills because Blue didn't have a forwarding address for me. I had been sharing a house with an elderly lady since leaving the shelter. The house things were all in her name, so I had no reason to speak with my creditors to discover the debts in my name.

The short version is he has been very clever. He seemed to have spent the past year dreaming up ways to punish me for leaving. His affidavit to the Court said I was a closet drinker and gambler and had gambled away everything. He said I ran away when he confronted me about gambling away our assets. Yet to this day, I almost never drink, except at Christmas time, wedding and funerals and I can honestly say I simply don't gamble. Wouldn't know how. But he crafted it so well, he even had me wondering if I was mad. For instance he stated I spent years at home but 'as everyone knows, you can't just be doing the housework all day!' That's what he said! And I think the Judge agreed with him!



He had even gone to a support group for partners of compulsive gamblers... can you believe the hide of him? Even his new girlfriend told me she was sorry I'd had so many problems.

I couldn't let him get away with this; not the money part, I would happily give him a portion of my salary for life if he would let me, but the lies. And I can't believe that he can do this. It seems so wrong. My boys heard about it and they provided some really lovely statements in my favour, but my husband's lawyer has said that my husband kept them protected from the worst of my behaviour! I don't have friends from that time, people who knew me, apart from some of the ladies at work. But apparently that all fits his description of me as 'caught in my addiction'. I even know the jargon now!

I hadn't mentioned the domestic violence in any Court things because I didn't think it was relevant, for a start. All I was asking for was to not be on any asset title deeds, to be independent in my own right. Plus, I'm not sure I would have felt OK about calling myself a victim of violence then. By that stage we had only been separated about 18 months, I think, and it was another year and a half before I could say it, domestic violence, and know it was the right term to use.

#### **The hardest thing about the Family Court?**

I don't know. It all seems so hard. I'm still in Court, backwards and forwards, delays and adjournments. At least I'm finally learning the words!

I get lost trying to find information on what I'm supposed to do. They give you web addresses but even though I'm learning to email now it still is really hard. There are booklets too or pamphlets but I just don't know where to start. My counsellor, she is a real love and I know she cares but she doesn't know the legal things either, so I'm in the dark with her there. So finding information is a nightmare and can I just say the Family Law Hotline, well they need some training on how to slow down and not use such legal terms. I would love a wise woman, someone who has the time to tell me information about what I can and can't do. Someone to tell me when it is OK to ring Women's Legal or whatever so I'm not wasting my time and theirs with unhelpful questions.

*'I hadn't mentioned the domestic violence in any Court things because I didn't think it was relevant, for a start.'*

*'All I was asking for was to not be on any asset title deeds, to be independent in my own right. Plus, I'm not sure I would have felt OK about calling myself a victim of violence then.'*

For many women the journey to naming their experience as 'domestic violence' takes time. There are many reasons for this.

They include:

- Disbelief it could happen to them
- Confusion about their partner's behaviours that are loving and supportive and media messages that perpetrators of violence are somehow 'all bad' or monsters
- Common misconceptions that domestic violence is limited to physical acts of abuse
- Fear of being accused of making up the violence in order to gain a perceived (but not demonstrated) advantage in Family Court.

(Shirley Patton, 2003)

*'I would love a wise woman, someone who  
has the time to tell me information about  
what I can and can't do.'*

*'Maybe that is the kind of thing this  
wise woman could do? Let me know what  
services there are for me and point me to  
the right person to ask?'*

It is even harder reading what he is saying about me. They are all lies and yet I can't reply. We had a mediation session and I was told that whatever was said can't be brought up in Court. So I was confused. If I say it is not true about the gambling or the drinking does that mean I can't say it in Court and he can just get away with it?

The mediation was horrible. It makes me teary to speak about it. I wasn't allowed a support person, because it is just the couple involved, plus lawyers, plus the mediator. But he had his new girlfriend, because they live together and his lawyer and then there was just me. They told me later I could have asked for a separate room because of the domestic violence, but I didn't know that. They have signs up everywhere there about it, I've noticed them now, but that day I was just too distressed. Maybe that is the kind of thing this wise woman could do? Let me know what services there are for me and point me to the right person to ask?

The distress is something that is hard to find words for. I didn't realize but for most of my marriage I was in like a fog of distress. He always called me stupid and vague and I guess I was. It was hard to concentrate, to take things in. Not because I was drunk, by the way.

I think it was because I was just always concentrating so hard on him: is he happy? Is he angry? Will it be OK tonight? It wasn't until I had left him, about three months after I'd left, that I realized how different it all was. I could think! I could process information! But you know, as soon as I was in that Family Court Registry and he was coming down the hall towards me, I was right back there in the fog. And it really... I get really angry with myself over it, but I find I am forgetful and vague and just so tired. And it worries me even more to know they might think it's because I've been drinking.

The mediator was the one who suggested that I return to Legal Aid to be re-assessed because apparently there are now no more assets to get in the way of funding. But they're still unsure, or something. I don't know, I don't understand and my head just aches. I can subpoena the bank statements, financial records, and details of share portfolios they say, but I'm not even sure how to do this. And normally, maybe I could but right now I just feel so tired and sad and hurt.

What I have done is gone to Ergon Energy, the telephone and gas people and sorted out my debt to them. No I didn't mention violence, I think I was too ashamed. I have simply organized to pay my debt a little at a time. My lovely landlady is happy to let me stay on with her. It's a low rent, I guess, and I do her cooking and ironing, the housework and gardening. So hopefully, even if it takes ten years to pay off those debts, by the time I have to find somewhere else to live I can get utilities put back on.

I'm hurt because I think mud sticks and I think everyone does wonder if I am a closet drinker or gambler. And I'm scared about what the ruling might be about who is responsible for the debt over the house and the cars. I'd love to know where he has stashed the money, though I have my own thoughts. His girlfriend has a place in her name now, and my boys tell me the furniture is very nice. He has told the Court he borrows her car but that he now has no assets of his own.

We had one Court appearance that was truly, truly horrible. It was only the second time I'd seen him since we'd separated.

He simply stared at me, everywhere I went in the waiting area. Just stared. And then I noticed his hand moving in his pocket. I was mortified because I realized he was masturbating. He used to cut out the lining in his right hand pocket. His lawyer was sitting to his left, and I had no lawyer so there was just me, sitting opposite me. When I looked up at his face again, he just smiled. Then the little flouncy man asked us to rise for the Judge and he calmly took his hand out of his pocket and covered his erection with it. Maybe that was the moment I realized sex was about power for him, sex was about violation and power. And he just got away with it.

What I would have given that day for a worker to be with me. Someone I could have spoken to. Instead I cried and cried in the toilets, because I realized, you see, I had been raped. And it was another week before I caught up with my lovely counsellor.

#### Future Hopes

I am so glad though to be free of him I remind myself every day whatever anyone else thinks I have my whole life in front of me, me to do with it whatever I want. My boys know me,

*'But you know, as soon as I was in that Family Court Registry and he was coming down the hall towards me, I was right back there in the fog'*

*'What I would have given that day for a worker to be with me. Someone I could have spoken to. Instead I cried and cried in the toilets, because I realized, you see, I had been raped'*

*'But most of all I wanted not to be so alone. I hope no-one else ever feels that alone again.'*



they love me and they know I'm telling my truth. My friends, I have friends now, and we do little things like meet for walks on the beach or go to the shops in the air-conditioning on a hot day.

My hope for the Family Court Support Project is that there is someone there, for something to come out of all this. That is my dearest wish. If I could wave a magic wand I would wish for that wise woman to be there, an older woman who knows the system well. She would have information step by step and be available at the Court for me to see.

Most counselors in other places, they can't drop everything to come to the Court on a minute's notice. And that is what it can be like; I have been rung the day before to be told an important hearing is happening and I had no idea. I would really appreciate some free legal advice, even if it is just advice on what is a legal issue and what is not. But most of all I wanted not to be so alone. I hope no-one else ever feels that alone again.

My name is Bernadette. I am forty years old and the mother of a son aged 12 and a daughter aged 10. I was born, brought up and educated in Southern India and married my husband fifteen years ago before relocating to Australia. My family is quite modern; we are from the Anglo-Indian community, attend Christian church and have Anglo names. My husband and I met and fell in love at an international conference held that year in the Philippines. It was a whirlwind love marriage, something of a shock to my parents. Although love marriages are increasingly common in India, fifteen years ago it was unusual, to say the least.

My parents were worried about my migration to Australia, to be so far away. But they were comforted by my husband's professional background, his good manners and his reassurance that we would stay in regular contact. It is perhaps best for me not to disclose our careers; I don't wish to make this account too obvious as to who I am.

I am writing this because of the terrible time I have had in the Family Court. I write too, because all the articles I see of how difficult it is for men in the Australian Family Court System. And until it was me, I perhaps thought the same thing. I had heard the stories about men not having access to their children, of women fleeing their husbands in order to live the high life with new boyfriends and refusing the fathers the right to see their child. But it has been an eye opener to actually go through the Courts and to see that in fact, if you have been a victim of violence and you are a woman you are doubly condemned.

But let me explain...

#### The family before separation

I was quite an old girl when I met and married my husband. I was twenty-four, working as a professional in India and quite independent. I still lived with my family, of course, we all did back then. Moving to Australia, especially to North Queensland was a shock. You see, I have almost always worn western clothing, rarely worn a sari or salwaar kameez and I preferred not to wear a bindi (it is really just a fashion statement after all).

## 2. Bernadette (40)

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*I know, I know, they all tell me I'm stupid, yes? But it just wasn't worth the fight. And, don't forget now, I was warned by his family that they would drag me through Courts until every cent had been spent on legal fees. And let's face it, we all know people who have been there. I just wanted it as easy as possible. And, I was just, just hoping he would leave me alone.*

*My English skills are good, you know, obviously. But still I know because my accent is thick, people treat me like I am foolish. And here, their eyes just glaze over, yes, as if they are not listening. It is racist I have to say that. Townsville is not good. We are used to being treated not so well. I have to tell them early on my career (tertiary qualified professional) because that way at least I get some respect.*

*From Seeking Safety, Needing Support: a report on support requirements for women experiencing domestic*

Isolation and loneliness are two experiences identified as obstacles for women of non-English speaking backgrounds affected by domestic violence. The Diversity Training Project produced by the Immigrant Women's Support Service in 2002 also considers the challenges for women when leaving behind support networks and family connections as a result of migration or if requiring asylum.

(Jacqueline Reed, 2002, pp.33-35)

*'The thing is, it didn't stop. I found he would shout at me for the smallest thing. I wasn't sure if this is what Australians do? I watched the television and saw that some soapies stars seemed to yell at each other, but I really wasn't aware of what was OK and what was not. I tried to explain it wasn't OK for me but that was a lost cause. He was also drinking alcohol and that frightened me more.'*

So arriving here, many people assumed because of my features and colouring that I was Aboriginal. Until I opened my mouth of course and then they found my accent hard to understand. That meant, for me, I was often treated the way Aboriginal women are treated and it was shocking to see how rude other Australians can be.

So yes, I was lonely and homesick. My husband however was very kind and loving and I did think I was very lucky to have met someone I loved so much. Things first began to change when we found out I was pregnant. I was so excited and my family was over the moon. At first he seemed excited too, but then he seemed to withdraw; he seemed quite depressed. He spoke of his fear of how we would live on one income and how we would afford the child. I told him that this was nonsense thinking, that really we had so much money compared to many I know. It was then he first really shouted at me, calling me self centred. He shouted this thing and that thing and I couldn't understand how or why he was so angry. After it was over he apologized, said he loved me and I put it down to nerves or adjustment issues.

The thing is, it didn't stop. I found he would shout at me for the smallest thing. I wasn't sure if this is what Australians do? I watched the television and saw that some soapies stars seemed to yell at each other, but I really wasn't aware of what was OK and what was not. I tried to explain it wasn't OK for me but that was a lost cause. He was also drinking alcohol and that frightened me more. You see, my community in India, they rarely drink alcohol at all, less than once a year. I have never seen my father drunk and never seen my uncles even a little intoxicated. To keep the peace I just tried to be a better wife. I bit my tongue, I didn't say the things I would have otherwise said because I could see the stress he was under. I worked until two days before I gave birth and I was very careful not to complain about swollen feet and what-not.

Of course my mother and aunties were expecting to come over and help me after the baby. That is what we do, you see, we smother the new mother with love and tenderness, allow her to sleep, cook the meals, teach her how the many things are done with babies. It is such a kind way of helping new parents adjust I feel.

Kind for baby who is always centre of attention and so kind for the poor mother who is dealing with the birth and all the new tricks to learn.

But my husband refused to let my aunts stay with us. He threw such a tantrum: broke my hand mirror and smashed the chest of drawers. I begged them not to come and instead discussed my returning home for a visit later that year. I think they knew then that things were not good but we all let it be. I was miserable; I think I had some post-natal depression. He was away all hours of the day and night working (or hiding in the hotels) and so all the care of the child was left to me. But my lovely son and I, we managed just fine. He was a wise little soul from the beginning and he seemed to know when it was best to stay quiet because Papa was home.

My husband forced me back to work as soon as I had weaned my son. Any mother will tell you how heartbreaking it is to leave your tiny baby. He was only 6 months old but my husband had begun to say disgusting things about breastfeeding a son after 3 months of age. Working seemed a waste of time to me, besides my salary went on the day care and the extra necessities to work. One thing, however, my husband was always most sweet and kind at work. Always. So it was almost a bonus to be there for those moments of kindness. It was also confusing because I found it hard to rationalize why he was so difficult at home.

And my husband, he was difficult. Yes, I cooked, I cleaned, I cared for my boy. If my baby was sick, I took leave to care for him. Although I hadn't even bought new clothes after my baby was born, my husband called me a spendthrift. I don't know how or why; perhaps, I think, he had no idea how expensive groceries are. And so he created a budget, can you imagine? First he took me shopping for clothes because he said he did not want people to see his wife in such old, ill-fitting clothes. And he shamed me in the dressing room, telling the shop assistant he was buying new clothes because I let myself go after the baby! So I wore clothes he picked, in drab navy and brown, colours I hate and that drain my complexion.

And then I had to manage on the amount he gave me. Still I am an excellent housekeeper and can stretch a dollar a mile as they say. All this time I was just accepting these things, thinking that maybe he will calm down soon and we can talk rationally like humans.

*'Any mother will tell you how heartbreaking it is to leave your tiny baby. He was only 6 months old but my husband had begun to say disgusting things about breastfeeding a son after 3 months of age.'*

Financial abuse is a particularly difficult form of abuse to have recognized by the criminal justice system or, for that matter, in the Family Law Courts. At the core of financial abuse is the need to control others by withholding access to money or by rigidly prescribing how each dollar is to be spent.



*'After our daughter was born things went from bad to worse. He constantly belittled me, calling me ugly and stupid. He would expect me to have the house spotless, the food prepared the washing finished and the children bathed and in bed before he got home. I could handle it all except his coldness with the children'*

Then I fell pregnant with my daughter. This was a more difficult pregnancy and I was terribly sick. I had all kinds of complications and had to go into hospital for periods of time. I felt so guilty, like it was all my fault. My husband was still working but now having to juggle the baby things too. I knew how hard it would be on him and I think a part of me was secretly hoping he would now understand my day. But when I returned from hospital I was in for a rude shock. Not a dish had been done in my absence, not a stitch of clothing washed. My baby had been put in disposable diapers and dirty ones left rolled up in the laundry. In January! In this heat! Disgusting! He had lived on takeaways and emptied the cupboard of every item of food. I had carefully bought extra one week at a time in order to cover for those weeks when an illness with the baby might have required medication that ate into the food allowance.

I couldn't say anything though and I could see him just watching for my reaction. It was like he was a child who deliberately makes a mess to see what will happen. I said nothing, but spent the next week returning my house to some order. I was still very weak and sick but I received no help at all.

After our daughter was born things went from bad to worse. He constantly belittled me, calling me ugly and stupid. He would expect me to have the house spotless, the food prepared the washing finished and the children bathed and in bed before he got home. I could handle it all except his coldness with the children. He didn't want to be troubled by them at all. He wasn't involved as their father; he simply watched television when he got home, drinking rum and coke hour after hour.

By this time I was used to his temper with me and I was starting to be seriously concerned about the marriage. First I did what we would do in my country: I went and saw his parents and asked for guidance. But it was a mistake. They were terribly embarrassed and just said it was between the two of us. His mother, who never liked me, told me then if I left him, the children would have to stay in Australia. She told me to think about that before doing anything rash.



So I asked him to come to counselling, thinking perhaps this is what your people do? He was furious; outraged I'd spoken to his parents and very clear that he would not attend counselling. After all, this is a small community and he didn't want anyone to know we were 'having trouble'. When I told him I would go to counselling by myself he told me it was well known the counselors in our town are all lesbians trying to recruit members to their organization. He said the marriage would be over if I ever went to someone behind his back.

I look back now and I feel so sorry for the girl I was. There was me; far away from my family and support, with two young children to care for. I had no friends, I had found it hard to get to know other young mothers at the child care centre as many assumed I was Aboriginal and just ignored me when I approached them. At work I was always too busy trying to fit work in to the allocated time so I could ensure I was there to pick my babies up. I was told that speaking to counsellor would mean the end of our marriage. And even though my family is quite modern, it is still a very big step for an Indian girl to divorce her husband especially once she has two children.

I noticed some other small changes to me. I was finding it harder and harder to speak in English as I became more stressed. And I was stressed. My daughter has been such a different child to my son. I love her very much, but she has always been a handful. She would scream and cry all night as a baby and was a much more demanding child. I was so worried it was my fault because she was in childcare all day from such a young age, but my husband said I must return to work when she was three months old. When I refused he became so angry he pushed me so hard backwards I fell down. Then he stood over me in front of the children and yelled and carried on horribly. It was a nightmare. I thought, what can I do?

Life raced by. One minute I had babies, then small children and then somehow here we were. My son was just ten, my daughter was eight. By this time things had slowly, ever so slowly got worse. I know people will be saying, well, why didn't she leave him? But you can't know, you can't know how much energy it can take to just get through each day in that way. There was simply no energy, no time to even think about leaving. My husband still refused to be involved with the children in anyway. No homework, no transport, no nothing.

*'When I told him I would go to counselling by myself he told me it was well known the counselors in our town are all lesbians trying to recruit members to their organization.'*

Here Bernadette provides a vivid example of the difficulties of negotiating an unfamiliar culture. It is not necessarily 'given' that the Courts will automatically insist the children remain in Australia. You have the right to discuss all your legal options and it may be that an organization funded to work with migrant or refugee women has the best resources and most relevant information to provide support.

Please see the referral list at the end of this booklet.

*'I know people will be saying, well, why  
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There are so many reasons why a woman may remain in the home. She may be too frightened to leave. Women leaving relationships may be at the risk of increased harm or even death if they separate from their partners (Catherine Humpreys, 1999). She may not know about options for support. She may be still hopeful the relationship will return to a positive environment. She may believe her partner when he promises it will never happen again. Or she may, like Bernadette simply not have the energy or emotional space to even consider leaving. Perhaps when you next hear someone wondering 'but why doesn't she leave?' you might want to ask instead 'but why doesn't he stop hurting her?'

I bought their clothes, school supplies, their books and games from my allowance. You know, I was still wearing the same old brown and navy clothes! Who ever has money to spend on herself when she is a mother?

I tried to ensure the children had family because it had been such a feature of my own childhood. I drove them over most weekends for a visit with my husband's parents. It was usually unpleasant for me; it has taken me a long time to understand my husband had been merrily lying to them all these years about how lazy I was, how he does all the cooking and cleaning, how I spend all his money! Anyway, thanks to me, they saw their grandchildren. I tried to arrange visits with my husband's cousins and their families (my husband is an only child) but I guess they just thought I was strange. That family does no such thing!

I had never been able to return home to India but my parents came over twice. Both times they could see I was unhappy and both times they reassured me I could come home if I wanted. I promised to consider how it could all be resolved.

#### **The straw that broke...**

'Then the day came when my husband hurt my daughter. His temper had been getting worse. He was screaming and yelling, breaking things most weeks by now. And our little girl, she was equally feisty. The rule for both children was to be quite when Papa came home. They could play in their rooms or help me in the kitchen but it was important not to disturb Papa. Or else. This night she was having none of it. She wanted to watch *Neighbours* or some such thing on television like all the other girls do. And she couldn't see why Papa couldn't go to his room to read his paper.

Well, he turned to me and began swearing about my mothering skills, how I have raised a disrespectful child, off he went. Bang! Smash! Another thing broken. Then my little girl came and ran between her father and me and yelled at him not to push me or hurt me. She screamed that she learned at school that was wrong and she would tell the police on him. I thought my heart had stopped. He picked her up and physically threw her across the room. I ran after her and covered her with my body as he began kicking me over and over,

screaming at the two of us. My son was yelling too, telling his father to stop it. Then there was a knock at the door, a hammering. My son raced to get it. The little old lady from next door, perhaps eighty years of age was there. She didn't say much. My husband stood up, straightened his clothes and went into the bedroom without saying anything. My neighbour, she just held out her hand and said, *maybe you should come with me now?*

### The Family Court begins

My neighbour had rung the police and they found a place for us to go to. The domestic violence shelter was full but there was a space in the house that offers rooms for women who are homeless for all kinds of reasons. I was shell shocked. The others in the house, well they had difficult lives and their language and behaviour matched that sadness. I knew I couldn't stay there for long for the sake of the children. They were absolutely in shock. Because the police had been called, I had visits from the Child Protection workers and they told me that if I was to return to my husband the children would be removed from our care. That was OK with me; I told the social worker that the day he hurt my children the marriage was dead.

But there was more shock in order. My husband immediately applied to the Family Court for a recovery order, saying I had disappeared with the children and was at risk of fleeing to India with them. I didn't know what to do or where to turn. And I didn't even know where the Family Court was, or how I could get there. I had rung my parents and my male cousins offered to come out immediately to help me. But what could they do?

The exchange rate between India and Australia is so low a small fortune there means nothing here. And my family has no small fortune. They are hard working, middle class people, nothing more. I had no place to offer them to stay and they could not afford a motel or guest room.

### Seeking Legal advice...

My memory is still unclear from this time and I am sorry if I have the names all wrong. I was distraught, you understand. My daughter had been hurt and shaken (thankfully there were no physical injuries), my children and I had left the house to live in a shelter and I couldn't return to work because my husband worked for the same organization and I was told by police it was against the law.

Separation does not mean the woman is protected from future acts of abuse. If children are involved then the woman will be required to maintain some form of contact with the ex-partner in order to facilitate the right of children to know both parents (Kathryn Rendell, Zoe Rathus and Angela Lynch, 2002).

Domestic violence and child abuse are inter-related. There are many layers of connection between the two crossing continuums of pre-separation violence and post separation violence; from assaults during pregnancy to the use of children as conduits of abuse.

Perhaps one of the most thorough reports considering child abuse, domestic violence and the Family Court is *An unacceptable risk: a report on child contact arrangements where there is violence in the family* by Kathryn Rendell, Zoe Rathus and Angela Lynch (2002).

*But I didn't know what I was doing,  
where I was going or why.  
I couldn't absorb anything, you see?*

Bernadette is describing effects that are similar to symptoms of Post Traumatic Stress Disorder (PTSD). Workers from services responding to violence against women have long identified domestic and family violence as a traumatic experience for the women and children victims. The inability to concentrate, being hyper-alert and finding short term memory unusually difficult are some of the cluster of hyper-arousal symptoms identified in trauma research. (Amy L. Ai & Crystal L. Park, 2005; Judith Herman, 1997)

From what I know now, I gather the first Court I attended was the Magistrate's Court for a Domestic Violence Protection Order. But my husband had a lawyer there. Because there was no physical assault against myself, only my daughter, the Magistrate agreed to a standard protection order, but the order was drafted so we were both (my husband & I) identified as victim and perpetrator. Or some such thing. The Magistrate made no recommendation on protection orders for the children saying it was better off handled in the Family Court. So I came out of that building with a piece of paper that meant I couldn't go to work anymore because it would breach the order. I hadn't told the people in the Magistrate's Court we worked in the same organization because it hadn't occurred to me I might need to do this.

The next appointment was I think at Legal Aid, where they explained our joint assets were too great for assistance. These two appointments, the Court house and Legal Aid were made by the social workers in the homeless women's house. But I didn't know what I was doing, where I was going or why. I couldn't absorb anything, you see? Anyway, Legal Aid, they suggested I simply go home and stay in the home and call the police to remove him. They said I had a legal right to do this. And at that time I was thinking, well, maybe if that is my legal right it would be easier for the children. I can pack his bag and have it ready for the police. I could even find a hotel room, or he could stay with his family.

His parents have three spare rooms. Surely they would care for him? The ladies at the homeless women's place agreed it was a sensible thing to do.

So I ordered a taxi, picked the children up from school and went home. I was sure he would be at work, but I was still very frightened. The taxi driver said he would wait until I got inside. The car was not in the driveway, so I felt better unlocking the front door. Once we were all inside I waved off the taxi. Everything kind of hit me then, like a wave of emotion. All I'd been through, all my children had seen. And how very alone I was.

But I wasn't alone. Sitting quietly in our bedroom, waiting for me to find him, there he was. My husband cried and pleaded and said he was so sorry. He blamed his behaviour on his mother, saying she had demanded he get rid of me. This went on for an hour. The saddest thing for me was how calmly the children took it. It was as if they knew. They knew this

pattern, it was really familiar. They went to their rooms and played with their toys. But I kept hearing the words of the Child Protection people so I explained that I was not returning to the relationship. I asked him to consider moving out, for the sake of the children. I told him about the homeless people's house we had stayed in, what it is like and why the children shouldn't stay there any more.

But he lost his temper. It was another scene and this time the police arrived quickly. However I was charged with breaching the order because I had returned home, even though Legal Aid had recommended it. We were in a more difficult position because we had officially left the homeless women's place, the room had been given to another family and there was no crisis accommodation in Townsville. Then Child Protection came to see me, to say they had grave concerns about the safety of the children as it appeared I had attempted to reconcile with my husband. It was a nightmare and I had no words to make sense of it with these people. Thankfully, I was put up in a motel overnight and given some space to consider my options, as they say. Options, I thought? What Options?

I decided to risk life and limb and go to the lesbian counselling place my husband had warned me of! I don't mean to be rude, I know now it doesn't matter if my counsellor is lesbian or not and I probably can't tell anyway. I have grown much in the last two years.

Anyway, at the Women's Centre I spoke to someone that day. They found a safe place for the children and I to stay, just us, for a week. That gave me time to get enough money together for a rental property for the children and I. Again, the Women's Centre helped us out. Meanwhile the Family Court issue continued.

To my surprise my husband applied for residency of the children for fifty percent of the time. He had hired a solicitor and filed papers demanding regular contact. I received a letter that told me I was to go to the Family Court. His papers were also in the envelope stating his intentions to have the children. I didn't understand at all. Wasn't there a child protection concern? And when I got to the Court, I found out in fact it was a formal session and that I was supposed to have written a reply to his legal letter. I was told it *didn't look very good that I hadn't bothered to reply*.

*'However I was charged with breaching the order because I had returned home, even though Legal Aid had recommended it. We were in a more difficult position because we had officially left the homeless women's place, the room had been given to another family and there was no crisis accommodation in Townsville.*

*Then Child Protection came to see me...'*

'Ah-ha, *his lawyer said*, but they have a telephone helpline available. You do have a telephone I believe.

*All well and good, but I struggle to understand Australian accents over the phone even now, after all these years and I know when I am distressed I have less command on English. It is not my first, or even my second language (I am fluent in four languages).'*

But I was so confused. I couldn't find where in the letter it told me to write a reply.

Then they told me about the website; his lawyer said he knew I was *very computer literate because of my previous work history*. Apparently the website provides detailed information on what to do and this is mentioned in the letter somewhere. But I had no computer in my new home with the children. We don't even have a washing machine or a microwave! I left with nothing except for the children's clothes and toys.

*Ah-ha*, his lawyer said, *but they have a telephone helpline available. You do have a telephone I believe. All well and good, but I struggle to understand Australian accents over the phone even now, after all these years and I know when I am distressed I have less command on English. It is not my first, or even my second language (I am fluent in four languages).*

Anyway, to cut a long story short, we were not going to agree on terms together. How could I let my children live with a man who has never even acknowledged their presence, let alone cooked a meal for them or stroked their sleepy little heads at night? I had no problem with them still seeing their father but I was very worried about my daughter's feelings. He had hurt her very badly; what would it be like to leave her alone with her father so soon?

I was asking for supervised contact, that is, someone to be with him when he cared for the children, perhaps his mother? And I suggested we take time before the children stayed overnight. They have never slept away from me because their father would not let them go to friends houses over night. More importantly, their father had never cared for them for that long all by himself. I thought doing it gradually made more sense.

I'm still confused what happened that day, but I remember being told by the Family Court person to go to Women's Legal Service for advice. It was another place, other people, all very nice but so confusing. They helped me fill in the form I was supposed to have filled in and they reassured me it was very unlikely the Court would make the children live with their father so abruptly. They also spoke with Legal Aid again and I got a lawyer for the first Court Hearing.



Then it is all confusing. I met with the lawyer by myself, but it was all very rushed to me. Actually the appointment went for more than two hours so I know now she was exceedingly generous but it seemed there was no time to tell my story, the whole story to her. I remember breaking down because she asked me about violence in the family and as we talked I realized what he did was not typical of Australian men. Somehow, that made it worse. To know I had stayed with a man who may have been kicked out long before by an Australian wife? And how could I explain his coldness towards the children in English?

Anyway we had an interim hearing and it went like a blur. All I heard was that the Judge ordered he have unsupervised contact every second weekend and every Wednesday afternoon and night, with a view for preparing him for the parenting requirements of joint parenting. His lawyer, or Barrister I think, had reminded the Court that no charges had been laid against my husband after throwing the child across the room because the police accepted it was an accident.

I didn't even know this, why didn't I know this? When I said their father had never cared for the children my lawyer told me that that was more of an argument for him to have the children, so he can learn to be a father now. She said it to me like I should be grateful and even said something insensitive about him sharing the load now. Sharing the load? This isn't about my needs, it's about the children! I was also told I must not return to India with the children at all, and that I must surrender their passports. I didn't have them, of course, I left everything at home.

#### Negotiating handover and contact in a climate of abuse...

After this the nightmare really begun. The lawyers had decided we would have handover at McDonalds; they said a public place would make it safer. I asked about the Protection Order and they said provided no-one got aggressive it was OK to meet to 'hand over' the children. They recommended I bring a 'friend or relative'. But I had neither, really. Not in Australia. The children did not like going to their father's and there was a fight each week with my daughter to go. She began to wet her panties, something she grew out of many years before.

*'I remember breaking down because she asked me about violence in the family and as we talked I realized what he did was not typical of Australian men. Somehow, that made it worse. To know I had stayed with a man who may have been kicked out long before by an Australian wife?'*

*'Sharing the load?  
This isn't about my needs,  
it's about the children!'*



I took her to the doctor but was so distressed when he lectured me about fabricating a case against my husband? He said it was not uncommon for mothers to bring in their children for any old thing to get information placed in medical documents that could be subpoenaed in a Court of Law. I was dumbfounded.

After about three months it was clear my husband was not caring for the children and more often than not they stayed with his mother. I started to meet up with other mothers on the evenings my children were supposed to be with their father and I would find him shadowing me. In exasperation I called the police because I have the Protection Order, but as he was in a public place they said he had as much right to be there as me.

He has stood outside my window, waving at me or even masturbating late at night. But by the time the police arrive he is gone. I think they now think I am mad and making it all up, but I truly have seen him there. What can I do?

Another time I was invited to a football game with some new friends. It was the Saturday the children were supposed to be with him. But he was there, drinking heavily. I couldn't see the children and I was worried. I approached him to ask where they were and he started yelling in front of everyone. My new friends bundled me up and took me to the police station saying they would be witnesses to his abuse. But the police said I breached the order because I approached him and warned me next time I would be charged. It was humiliating and I was so distressed I didn't go out for a long time after that.

Each handover he would say things under his breath to me, reminding me that if I left the area he would have me arrested. He would whisper foul things to me, sexual things about what he imagined when he watched me sleep at night through the windows. I can tell you, it is so hard to see my daughter go and spend the night unprotected at this sick man's house. He would threaten me with all sorts of things. I won't repeat them all because it would take an encyclopedia. It got to the stage where I would be physically sick before I left with the children.



'This is the part where it is really difficult to speak, you know?' There seems to be this thought that if any of us women say there is domestic violence then somehow we are doing it to better our position in the Family Court. But how would it better you, I ask you?

The Family Court really doesn't care about violence unless it happened to the children and it was proven in the criminal courts. I don't care what the literature says, that is how it is. And the more I say, the worse it is for me. They call me a liar, they look at me like I am one of those women. When I called the police about his harassment at handovers they told me there was no evidence and it sounded like 'another nasty Family Court battle'. I tried to tape record what he was saying, but he saw the machine, reached into the car and simply took it. He was laughing at me.

At the end of the day I have had to focus on what little things I can do to keep the children as safe as possible. I could cope with his taunts towards me but I was so worried about his temper with the children.

I spent the time they were away with their father trying to get on with my life and enrolled in a second post-graduate course. But I find my memory is so unreliable at the moment.

#### **When violence forces an end to legal negotiation...**

I chose not to continue the battle for the sake of my children. In the end I was told to acknowledge it was very unlikely my terms would be accepted. He is still angling for 50-50 shared parenting and I have to accept if that is what he really wants, that is what he will get. He has changed his work hours to four days a week, which he can do because he is the manager there and still makes an excellent salary from this. Me, I'm unemployable in the sector I am qualified in because his is the major company in North Queensland offering that particular service and no-one wants to trouble him or get him off side.

So although I have more time on my hands than ever before I have no work to fill it. I have of course applied for many other positions, but it is not easy when employers see I am a single parent of two kids, let alone an accent! I won't give up though and have my own quiet dreams.

*'There seems to be this thought that if any of us women say there is domestic violence then somehow we are doing it to better our position in the Family Court. But how would it better you, I ask you? The Family Court really doesn't care about violence unless it happened to the children and it was proven in the criminal courts. I don't care what the literature says, that is how it is. And the more I say, the worse it is for me.'*

*'He has changed his work hours to four days a week, which he can do because he is the manager there and still makes an excellent salary from this. Me, I'm unemployable in the sector I am qualified in because his is the major company in North Queensland offering that particular service and no-one wants to trouble him or get him off side'*

He still lives in our house and the property settlement will take years if I pursue it. His mother promised me they would take me back to Court till every cent was gone and you know, I believe her. So I gave up. Just let it go. The money was never important to me. But she, his mother, will never understand that.

I will say this; my husband is tenacious! Like dog with a bone he just won't give up. Every time I think it is settled another drama occurs. He refuses to allow our children to go to counselling even though the school is very concerned about my son. He decided that McDonalds was an inconvenience and has applied for handovers to be at my place. Can you imagine the mischief he could do there? I have to be careful to avoid showing my feelings in front of him because as soon as he knows he has me upset it encourages him all the more.

I am sad about how this affects the children. I can't go home and visit my family. I can't show their other culture, beautiful India, to my children.

I can't even take my children on a camping trip without his permission because the Family Court Order says I must stay within a 70 k.m. radius of Townsville. There are many can'ts in my life but in order to be strong for my children I am focused on the 'cans'.

I can live my life. I can sleep safely in my bed each night. If he is outside masturbating, then so be it. I hope it rains on him! I can be the mother to my children every minute they are with me. I can pray for their safety. I can make our home a happy one, a safe retreat. Most of all I no longer tip-toe around his moods and carry on.

Remember I said domestic violence victims are hurt twice over by the Court? We are hurt by our husbands then we are hurt by the Court's disbelief. We are hurt by the message we must be lying and hurt when our children are not protected. We are hurt because we do not have the money for lawyers and we are hurt if we cannot follow the telephone or internet guidelines. We are hurt. Because we must listen to lies in Court, lies that are not challenged. We are hurt because at the end of the day we must accept that his money and word carries more weight than ours and more weight than our children's words.

And it is time the hurt stopped.

**The ideal Court Support...**

My dream is a grand one, but that has always been my way! I want an organization, not just one person, but a number of people that understand the Family Law, how it actually works. I want them to visit homeless shelters for those of us missed because there are no vacancies in the DV shelter. Let them have skills in bilingual work. I know Australians traditionally have only spoken one language since the English invaded, but one in four people in Australia now were born overseas! And many of us are skilled not only at 3 or 4 languages but at communicating in non-verbal ways, seeking translation and interpretation. Hire these people and have them explain to lawyers and to judges why it may be these women are not filing paperwork when it is expected. This is my dream, and if it is possible then perhaps another woman and her children will not suffer so much.

*'I can live my life. I can sleep safely in my bed each night... I can be the mother to my children every minute they are with me. I can pray for their safety. I can make our home a happy one, a safe retreat. Most of all I no longer tip-toe around his moods and carry on.'*



### 3. Bird (31)

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*Bird is 31 years of age with five children ranging from 8 months to 17 years. Her mother, father and family are from the Murri community. Her former partner, Blue, is twelve years older than her and Anglo-Australian. He met Bird when she was only 13 and is the father of seven other children in addition to the five he has had with Bird. The first two children were born when Bird was under the legal age of consent and could have resulted in statutory rape charges against Blue. Bird has said that if indeed he had been jailed for having sex with her (an act of rape against a child) it may have saved her a lot of grief.*

Their relationship, and Bird is clear this is the word she would use, has involved many separations, all of them instigated by Bird. Bird has been accommodated in crisis services multiple times and has moved suburbs, districts and once even States to hide from Blue. Although her family hate Blue it has seemed to Bird that nothing is able to keep him from continuing to 'claim her' as his property.

#### **Before separation**

*We been together so many years, but I knew early on he was bad for me. We all knew it. He gets pissed or stoned and then it would get ugly. He'd be really mucking up see? I'm not, I can't talk about it too much, except you can see my scars.*

Bird is covered in welts, raised scar tissue and darkened areas of skin. During our three interviews she touches on knife attacks, brutal gang rapes led by Blue and other violent acts stretching down through the years.

*Describing before separation is hard, because it feels like I was always trying to separate from him, you know? He just wouldn't accept it. Threatened to kill anyone who came into my life. Turning up, tracking me down. Raping me. I have five children to him but only one was conceived with love. I love them now, don't get me wrong, I love them so much. That's why I made a change.*

Twelve months before her Family Court contact began, Bird made contact with a worker at a local service for Aboriginal and Islander women. They worked together to get her family onside, supporting her in her efforts to keep Blue away.

Bird was allocated a new house through public housing with increased security and began to call the police every time Blue breached the Domestic Violence Protection Order by turning up at her home.

*It took a long time, but it was working, ay? The worker, she met with the police and my family and they (the police) said they would help if I promised I would press charges this time.*

*So I did, I let them press charges. It didn't do much; I think the first couple he got a warning, then a fine. So he got more crafty.*

Blue continued to stalk and harass Bird whenever she went out. He had not shown interest in the children, never buying birthday or Christmas gifts and refusing requests for help with child support or baby sitting. But six months after Bird's new strategies for protecting herself against his violence, Blue tried a different tactic.

*For the first time ever, ever, he turns up at the child care and takes the three boys, aged 8 months, two years and seven years old and then disappears. I turn up an hour later and they say to me, 'oh their Dad took them'. And I'm like, 'what? Their dad? He's never taken them, how could you let him just take them?' But apparently he can. So then he's off to Brisbane with my babies.*

It appeared Blue had been planning the situation for some time. He took the children on the Thursday evening prior the Easter long weekend. When Bird contacted Queensland police they told her it was a Federal Court Issue. Bird tried to contact the Federal police but got an answering machine. By the time she was given information about the Family Court jurisdiction the Townsville Registry was closed for four days.

#### **Seeking legal information and advice...**

Bird was unable to get any information about where Blue may have gone with the children. She thought he had been staying in a share house with some mates in Townsville, but they wouldn't or couldn't help. Bird's family networks sent word up and down the coast of Queensland, but after 24 hours, Bird had begun to fear the worst.

*You know, that weekend, ah, another fella, down South, he's like taken his kids and, um... killed himself and them. I thought, I really thought... (interview halted)*  
*I really thought my babies might be dead. We are connected you know, us blackfellas, we feel each other in different ways to you mialoo. I don't need to speak to my big girls, you know, I just know when they OK. But what scared me was I couldn't feel my babies. And that, that was the cruelest... what a bastard.*

*I, you know, I was going out of my mind. It seemed like I was ringing round and round everywhere and everyone gave me different advice. But it was after 3.30 on the day before Easter and nowhere could help me. They kept telling me everywhere call us back next Tuesday. But these were my babies' lives they were playing with. Their dad, he had never done anything for them. I don't know if he even heard of sterilizing a bottle or whatever. I had never ever been separated from the two littlest overnight and I felt it, like a knife in my belly, you know? And they said, all I could do was wait.*

In the report *Pathways: how women leave violent men*, Shirley Patton notes that whilst many of the pathways and barriers for Indigenous women are the same as those of non-Indigenous women, additional pathways included the support of Aboriginal-specific formal supports (2003, p.xix)

*Well first off I went to the wrong place. Yeah, Magistrates Court place. I didn't know it were a different Court. So then like an idiot I'm told to go to the Family Court but I can't find a sign. I get in the wrong lift. Someone actually looks at me, this blackfella in the lift, and tells me nicely the criminal court is in another place, so I have to say Family Court. Then I get there and the kids are screaming by this time and there's this lady behind a desk wanting to know what I want and I just cried. I hate crying. I kept saying I just need all my babies with me and she's looking like I'm mad or something.*

From *Seeking Safety, Needing Support: a report on support requirements for women experiencing domestic violence and accessing the Family Court*.

Tuesday morning, Bird tried to find the Family Court in order to get information. She had three nieces in tow as this was her day to baby sit whilst her sister attended Centrelink ordered training. Living in the northern suburbs of Townsville, where buses can take upwards of 90 minutes one way to the city, Bird found the experience overwhelming.

When she eventually found the Family Court (on the second floor of a Commonwealth building with two separate lobbies) she was too distressed to communicate with staff at the reception. They suggested she speak with her support worker at the organization she had been in contact with. Bird describes the reception workers as *really, really kind; they were very good to me, seeing as I was like a mad woman with a bunch of over tired kids*.

Half an hour later, Bird was on the doorstep of the organization. Her worker organized an appointment with Legal Aid, where she was approved for representation and then given the name and contact details of a local solicitor. The earliest appointment was available the next day. This was fortunate; after a long weekend it can take longer for an emergency session.

*It wasn't great news, I mean, they did say, 'cause of the age, 'cause the babies had always been with me, I should get them back. But we had to find them. The police were still not sure about doing anything, till they heard the kid's Dad was white. Then they said something about suicide? Said 'it was white man's death in custody, killing yourself' because you haven't seen your kids'? I was sick to my guts and so mad. But I could say anything couldn't do anything. First 'cause I needed them to find my babies and if I caused trouble that would never happen. But second cause they think us Murri women, we drunken, yelling, violent people anyway. We gotta be extra nice and meek and mild than white women. They (white women) can get mad, especially if they're like, posh.*

The appointment with the solicitor did not go well. Bird's nine year old nephew who was in her care had come down with an asthma attack and by the time she had traveled by public transport to the hospital and back again with her daughter, she was running late for the appointment. The time with the solicitor had to be cut short and Bird left with little idea of what was happening.



*I don't blame her, I mean I was late. But it was for good reason. I wasn't like, being lazy or something. The thing is, she didn't seem to understand I was, like I was in shock. I hadn't slept more than an hour each night since he took the kids, so I was kind of spacey. And she asked me outright 'do I use drugs? Do I drink'? And I wanted to ask her if she asked white ladies that too?*

Bird spoke about the distress of discussing the domestic violence with a person she had only just met and one she was not sure she felt comfortable with. She was told clearly that the domestic violence was unlikely to be relevant to the case given the couple were separated and there was no evidence that the children had been assaulted.

*She was so cold. I think, because she is another woman, I thought she'd, like, be kinder, sympathetic. I mean, what mother wouldn't feel my pain? But maybe she doesn't have kids? I don't know. Anyway, I kind of, like, shocked me that she was so cold. I didn't hear much except something about applying to the Family Court to recover the children, to find them. Then there was something else, about us probably having to let him see the kids, but I didn't understand that bit. He'd never turned up for the kids before?*

While Bird was at her lawyers her mother, minding the other children in Bird's home, received legal documents from Blue. He was asking for residency of the three youngest children and for regular contact with the other two, now aged sixteen and seventeen. In his affidavit, Blue claimed Bird was an alcoholic and drug user, was a negligent mother, often leaving the children alone with the older girls. In addition, he stated that Bird repeatedly sabotaged his efforts to contact the children. Blue claimed that Bird's allegations of domestic violence were not true and that her injuries were a result of a series of paybacks from drug-related incidents.

Blue was in Brisbane with the woman he claimed he had lived with for two years in a committed relationship and her eleven year old son. The conception of the youngest child he said was a result of a bribe from Bird that if he helped her have another child he would be able to see the children more frequently. Blue stated that Bird wanted another child in order to increase her Supporting Parent's Payments.

For many women the meeting with their Family Law solicitor is the first time they have spoken aloud about the violence they have experienced. It can be particularly traumatic when that disclosure is hurried, ignored or even dismissed as irrelevant. And yet Legal Professionals interviewed for the **Seeking Safety, Needing Support** Research spoke of their own challenges in hearing stories of trauma, particularly when fees are accruing by the minute. This is an area it is argued that could be better addressed through the availability of a Court Support person, trained in best practice responses to domestic violence.

*... and I finally found the words to tell her, my solicitor what he had done and all she could say was it really doesn't make much of a difference about what the Justice decides about the kids, you know, because, its like the violence itself, they said that was a state issue and the kids are different again. I remember thinking over and over again, I just shouldn't have said anything.*

*From Seeking Safety, Needing Support: a report on support requirements for women experiencing domestic violence and accessing the Family Court*

How are you going with the information you  
have read so far?  
If you are finding this challenging, distressing  
or bringing up strong feelings,  
it may be time to return to your anchor.



He reported he was receiving counselling for feelings of sexual abuse as a result and it was a result of the counselling that he decided it was important to ensure the children came to live with him.

*It was all lies, disgusting lies. I couldn't understand how anyone could come up with such lies. And you know, I think they made people look at me different. I could see them thinking: is she a druggie? Did she bribe him to have sex so she could get more money? Did she just make up all them stories?*

*I felt sick to the guts. What was with the story about him living in Brisbane? We all thought he was sharing a place in Townville? It were all just, confusing, you know?*

Bird rang her solicitor to tell her about the letter and a time was set up with an associate to go through her response to the affidavit. It was now more than a week since her children had been taken by their father. When asked what she hoped the outcome would be, Bird replied she simply wanted her children back and then she would do everything in her power to keep them safe. The solicitor informed her that the best case scenario would involve the children being returned and their father having regular weekend access. Bird was horrified.

*I thought, because of how violent he is, you know, really, really abusive, the children are not safe being there. It's not just that he doesn't know how to care for them, this is a bad bloke who got a group of bloke to pay him to have sex with me; it was gang rape. This is the man who has broken three bones in my body, who has done bad, bad things to animals. I couldn't have a pet because if he were angry or wanting to hurt me the animal would cop it. And they were going to leave the children with him?*

The solicitor recommended Bird request Blue be supervised during contact visits with the children, but Bird was warned this was difficult to secure. She was told to go away and go through the affidavit line by line and write out where the 'mistakes' were and then to make a note of the 'evidence' she could find to prove Blue's words were incorrect. She was to bring her response in the next day.



Bird said this request, as straight forward as it seemed, brought up feelings of panic.

*It's hard to admit it, but I can't read much. I can read more than enough to get by, but still, this was pages and pages. And more than that. Everywhere I looked I could see my children with this man. Remember he is cruel. He is serious cruel. I couldn't imagine what he might do (pause) Do to my children? (interview halted).*

Usually Bird's greatest supports are from her extended family. But legal papers are enough to frighten anyone and the seriousness of what was at stake made her aunties and cousins more cautious. Bird rang the worker from the organization that had been supporting her but she was off sick. She tried the Women's Legal Service and Legal Aid but neither service has the resources to sit with women and help them through the response to the affidavit. Bird then rang the Women's Centre but the Crisis Worker would not be available until an hour before she was due to be back at the solicitors.

*They will never know how hard it is just to ring all them people, yeah, ask for help, and then they all not there anyhow. By the time I done that I was a wreck. I thought, I can't do this, I can't do this. Then I thought about my babies and said, yes I can. I have to do this. So I got my mum to stay with me and we just did the best we could. But you know, how can I prove he is lying? All my friends and family, they know he is lying 'cause they know him and they know me. But really it just come down to my word against his.*

The meeting the next day with the Associate didn't go so well either. Although he said he understood the 'private nature' of domestic violence it seemed clear he was disappointed in the lack of hard evidence. But he asked Bird to get as many affidavits of good character as she could. Bird said he obviously had no idea how much Indigenous people hate doing anything that is about the law.

*Sure, all my family, my community, they gonna give me the statements, true statements that I'm not a drug addict, that he done hurt me, not drug people but when it goes before the law, the Courts, we all know what happens to us blackfellas in Court. Everyone kept saying Will I have to go to Court? And then they scared, you know? What will happen to them?*

And of course, domestic violence rarely occurs in front of witnesses. Perpetrators are more likely to ensure the environment is private in order to exercise control without risk of censure from witnesses. (Angela Taft, 2003)

Bird's relationship with Blue has been characterized by sexual violence from the beginning when she was legally underage. The simplistic assumptions by solicitors and the Registrar leave little room for those whose lives do not fit mainstream experiences. Bird spoke of many encounters with health, housing and welfare professionals who assumed each pregnancy was a result of a reunion with Blue. Instead, as she described, Bird had lived with an expectation that Blue would track her down, break in to her house and assault her at least once a month for nearly twenty years.

It is important to note that a physical separation of the couple does not necessarily improve the safety of the victim (Lesley Laing, 2003; Kathryn Rendall, Zoe Rathus & Angela Lynch, 2002). The act of leaving the abusive partner can result in an escalation of violence and follow through on threats of serious harm (Shirley Patton, 2003). For some the consequence is even worse: in Australia, one in four homicides of women by current or ex-partners occurred after separation (Jenny Mouzos & Catherine Rushforth, 2003).

#### The Family Court processes begin

A time was made for a telephone conference between Bird, and her solicitor in Townsville, Blue and his solicitor in Brisbane and an available Registrar.

*I dunno whether it was mediation, Case Assessment Conference, whatever. All I know was that it was good that I didn't have to be near him but I was so, um, distressed, teary, you know? It made it real. The hardest thing was knowing my milk was all gone. I still breast-fed the baby, maybe only once a day, not that he needed it any more, but it was our time, our close time.*

*The worst, worst moment was when the Registrar was saying that, how long you been separated and he said 'two years' and I said 'at least ten years'. And then the Registrar goes, 'but your children, you have children younger than ten years'. And he (Blue) butts in and says, 'exactly, but the youngest, she just wanted the money from the government' and I said 'no, those children were not like conceived by choice'. Then my solicitor jumps in and she says, 'you see, Blue comes back occasionally and sometimes one thing leads to another' and I'm saying 'no! It's not like that; he would come to the house and rape me'. At this point my solicitor is back pedaling and I'm in tears and I can hear the Registrar just sigh. So he says something about very serious allegations being made by both parties.*

*Then Blue says he and his girlfriend are willing to move back to Townsville in order to keep consistency in school and stuff for the children and that they only cared about the children being safe, so he was asking the Court keep them with him. He also spoke about all the times I'd disappeared with the children saying I was trying to keep them from me. And I had disappeared- in and out of women's shelters to hide from him. But when they asked about if I had police records from that time I said no, it was before I began trusting the police.*

*So the Registrar, he recommends the children stay with their father for now, with the understanding that I can see them every weekend, Friday afternoon until Sunday afternoon and have them Wednesday night. He says the father will relocate and we will have a proper hearing as soon as possible. Asks us to have a Family Report done and says we should try to resolve the matter quickly for the sake of the children.*

*I couldn't believe my ears. For the sake of the children? He was leaving them with that man, out of the blue, and telling me I should consider the sake of the children?*

Blue did indeed return to Townsville with his partner and her child, moving back into the same house Bird had understood he had been sharing with mates prior to taking the children. The public holidays for Anzac Day and Labour Day meant Court dates extended into July. It was now three months since the children had lived with Bird. Her two older daughters, now aged seventeen and sixteen, would come with her for additional support during contact handover times. Bird and the worker that had been providing her with support had discussed the different options that would ensure the current DV Protection Order was not breached by either party. It was agreed that handover would happen at McDonalds as the two youngest children were not yet in school.

In the beginning Bird's mother would go over to Blue's car to collect the children and carry or walk them to Bird's car. Blue used this opportunity to swear at and degrade Bird's mother, threatening her life. When this was reported to the police they recommended that Bird's mother be added to the DV Protection Order. But Blue appeared in the Magistrate's Court and argued that there was no evidence that such abuse was taking place and this was simply another opportunity to make *him look bad in the eyes of the Family Court*.

The Magistrate did not extend the order and suggested Bird ask another person to act as the children's go-between. After much discussion in the family and with the support worker, it was agreed the older girls would probably be the safest option. It was believed their father would not try to bully or harass them. And it appeared this was working.

Bird's next hurdle was the interview for a Family Report.

*Of all my experiences, of all parts of the Family Court, this was the worst. I got there with my Mum and my big girls but the mediator told me it was for me only this first one. So she begins asking me questions and it is clear he (Blue) has talked to her first. I know this because instead of telling my own story I'm like justifying myself against his story.*

Domestic violence hurts children too. Whether they are made witness to their mother's degradation, forced to participate in belittling practices or targeted directly by the perpetrator, children can be deeply traumatized by the violence. For information about specialist counselling services, support groups and projects responding to the needs of child victims of violence contact the crisis referral agencies listed by state in the Referral Directory at the end of this booklet.

*So she begins asking me questions and it is clear he (Blue) has talked to her first. I know this because instead of telling my own story I'm like justifying myself against his story.*

*So there was no time for my things. And I felt like everything was twisted.*



*So there was no time for my things. And I felt like everything was twisted. She asks me if I'd run away with the older girls when they were little and I said 'yes, even was interstate and I did it because I was so scared of him'. So then she asked me what I told my girls when we had to do that and I said I told them it was because Daddy wasn't safe. Which was true, he wasn't safe to be with. So then she asked 'how he managed to find me each time', and it seemed to me she was suggesting I was the one who kept making up with him, giving him my address, which wasn't true. We didn't talk much about the domestic violence because she said she was more interested in the children's safety.*

*And yes, she asked me about drugs and about alcohol. I told her they were all lies and everyone who knows me knows it was true. I did agree that once, when I was much, much younger, one of the first times I ran with the girls, I had worked the streets for a couple of weeks because I was so poor, so broke, I didn't want to go to Centrelink because I was scared he'd find me. But I never did it to support a habit and the children never, never knew. I was so ashamed of what I had to do to keep us safe, but whatever it cost me I was not going to hurt another person. I wish, I wish, I had never, ever, ever mentioned that.*

Family Reports are confidential documents that may only be sighted by the couple concerned, their legal representatives and Court approved people. They are prepared after interviews and observations of the parents, the children and others important in the children's lives, such as grandparents or step parents. Because of this, Bird's reflections were carefully worded during the research interviews.

Bird found the Family Report confusing and distressing. Her concerns related to the lack of acknowledgment of the effects on the children of domestic violence perpetrated by Blue and that the anger expressed by children towards their father's behaviour was reframed as examples of Bird's attempts to alienate the children from him.

According to Bird, the Report mentioned domestic violence within the context of 'allegations of a mutually abusive relationship'. Her discussions with her older daughters about why they have left their father and fled to a women's shelter are described as 'inflammatory and alienating'.

The comments of her two older daughters are seen as confirmation that Bird alienated the children from the father, given they are 'unnecessarily negative' about his behaviours. Involving the two older children in the contact handovers was 'provocative' and 'highly inappropriate, possibly abusive'. The Report, says Bird, identifies the wishes of the seven year old to return to his mother as 'an unhealthy need to protect his mother and further evidence of an alienating environment'.

Both parents were encouraged to attend parenting classes and training on parenting apart. Given that both parents raised serious allegations that may be impossible to prove or disprove, it was recommended that the children alternate between the parents week about.

At this point, Bird said she might have contemplated giving up the Court process. What stopped her was her growing concern regarding the children's behaviour. Her seven year old came back from his father's with large bruises and refused to talk about how they had occurred. Bird was called to the school by the child's teachers. They described his listlessness and inattention in class. The little boy had dropped from the top half of his class to the bottom three and the teachers were worried about the changes they could see. Meanwhile, the second youngest had turned three. His behaviour at day care was so disruptive Bird was asked to find another place for him to attend. At home he was regularly hurting his brothers, smashing toys and locking himself in his mother's bedroom. When the time came for him to return to his father after contact visits he would hide. Once found, he would cry and cry, begging to stay with his mum. It was often only his older brother who could convince him to get in the car.

*I just felt hopeless, because I could see the kids were getting really messed up but when I said something people were thinking I was alienating their Dad, see? And then of course, every time the little fella hid and we were late, Blue breached me. I got into trouble every time I was ten minutes late.*

*No, I didn't breach him, if he were late, because I was scared he would run off with them forever. When he finally appeared each time I'd be so glad I just wanted to get out of there.*

*I just felt hopeless, because I could see the kids were getting really messed up but when I said something people were thinking I was alienating their Dad, see?*

*The social worker, she come yeah. Just having someone there, you know, someone to cry with, to laugh with. Someone who knew what the forms meant. She didn't tell me what to do but she would remind me I could take time not do it all now. That made a difference.*

Contact handovers became even more dangerous once Bird complied with the Family Court Report recommendation not to have the girls with her. Bird would have to walk over to his car with the youngest child and his abuse would begin. She described threats, insults, abuse and taunts. He repeatedly told her in front of the children if the Court gave her residency he would kill himself and the boys. Her seven year old began asking her to stop asking for residency.

Then, unexpectedly, Blue did not turn up to meet the children (including his step son) after school one Monday. The teachers were unable to contact Blue or his partner. They rang Bird and asked if she would consider picking up all the children. She did, and the four boys returned to stay with her for an extra two days. Bird rang the police and reported her concerns. Blue and his partner returned to Townsville, saying they had been on a much needed break. Nothing was said about this in the Family Court.

During this time, Bird was meeting with her solicitor in preparation for the Interim Court Hearing. She describes vividly her journey into the Family Court with four children in tow: her three youngest and Blue's stepson.

*I packed up the kids and me and made sandwiches for the kids and we caught the bus into the city. We left at 8 a.m. which was really early for the little ones. By ten thirty they were mucking up so we all had the sandwiches. But at lunch time then I was still waiting to see my lawyer and the kids were hungry, me too. But not enough money for extra food in the city. I think the lawyer did a dance when we left we was all so grumpy, ay?*

Bird's support worker continued to provide support whenever it was possible. Bird spoke of the difference it made when the worker came with her to the Family Court Hearing.

*The social worker, she come yeah. Just having someone there, you know, someone to cry with, to laugh with. Someone who knew what the forms meant. She didn't tell me what to do but she would remind me I could take time not do it all now. That made a difference.*



By this stage, Bird was finding the Court processes very lonely. She had decided not to bring her family with her to Court because, she says, they were so angry with Blue she was worried they might yell at him or hurt him, and jeopardize the Court case.

*It was all really confusing, but in the end, the Hearing happened. We both had lawyers, see, and they say that makes it quicker? Anyway, the Judge decides on an interim order of shared parenting, because the children have now been living with him for about 9 months. So my lawyer she says it's really the best we can do. When I say I want to appeal, to ask for supervised contact for him, she says I will have to talk with Legal Aid because I am almost out of Legal Aid funds. And yes, turned out that meant I would have to represent myself. So I talked about it heaps, cried a lot and decided I have to let it go. I have to accept that I can't protect my babies.*

Bird and Blue have the children week about from Fridays to Fridays. Blue refuses to use the Contact Centre so handover continues at McDonalds. Harassment continues. Bird says she copes with this by *pretending it's not happening*. She believes his partner provides the primary caring for the children and she is grateful for this but worried about the abuse the partner may be experiencing. The children continue to display unsettled behaviours but Blue will not allow them permission to attend counselling. Bird has attended parenting apart classes and the Triple P Parenting Course (offered in Queensland). As far as she is aware, Blue has not yet fulfilled this Court requirement. And how does she keep going?

*I have no choice, yeah? The children need one safe parent, one safe person. I have to stay sane, I have to keep it together or they will suffer. You know, I wanted to talk to you (the researcher) because I wanted to ask again, like, isn't it in the best interest of the child? Because it seems to me, at the moment, it's more about in the best interest of the father, not the child, and that is so unfair. All I'm asking is that the Court put the children first and if their daddy is abusive, then keep those little ones safe. That's all.*

*When I say I want to appeal, to ask for supervised contact for him, she says I will have to talk with Legal Aid because I am almost out of Legal Aid funds. And yes, turned out that meant I would have to represent myself. So I talked about it heaps, cried a lot and decided I have to let it go. I have to accept that I can't protect my babies.*





#### 4 Catbie (42)

Once I thought the hearing of my child was the hardest part,  
Hearing her whisper softly, shyly of daddy's hands and where they'd been  
I thought the waves of emotion: anger, horror, outrage...  
My baby, my baby, I would kill to protect my baby.  
All I could do was rock her gently, protect her from all I was feeling  
And we three - me, her and her little sister- silently crept away in the night.

But nothing has prepared me for this.

The Family Court, it sends my girls back time and time again  
To the father they say hurts them,  
Sometimes they use words, sometimes they draw pictures.  
But the investigations, the reports

They come up with nothing. Whispering once was enough.  
I understand that what a child can whisper to their mother  
they may never whisper to another; yes, I understand that.  
Sure, there is 'evidence' something has occurred; but no 'evidence' it was daddy.

I am told I am the one  
Causing abuse by dragging them through  
Everything. ....  
The police, they told me not to do this again,  
Don't share my children's words because it is malicious and a weapon against their dad.

But they know, and I know, he was charged before.  
His previous child, a previous relationship.  
But she too was 'too young'; her mother too was 'malicious'.

When I was told it helped me leave. It did for me what all his beatings could not.  
I left to protect my little girls  
Only to find I could not.  
And they are more vulnerable than ever without their mother there to watch  
Ear open, heart line clear... ready to save them from his sly hands.

Every second Friday I keen, I howl, I weep;  
I pray to my gods and goddesses to keep my babies safe.  
Let him feel fear of discovery of public shaming  
And may that stop him from doing something that is too red to write.  
Never let it be said this is in the best interests of the child.

Cathie (2005)

## 5. Evie (22)

*Evie and her former partner 'Blue' were in a relationship for nearly seven years. Both identify as Anglo-Australian. 'Blue' has tertiary qualifications and is employed in his family business. Evie left school in her final year. She describes her family as 'very working class' and Blue's family as 'decidedly posh'. They have three children: Lilly (4), Ethan (3) and Riley (2).*

My mum used to tell me a fairy tale about a story within a story. Like those pretty Russian Dolls, one inside each other. Well, this is my story within a story. There's me, Evie and my three beautiful kids. Lilly, she's four, Ethan, he's three and Riley, he's just turning two. We're one story. Then there's another story you find when you open up my story. That's the story of my mum, Tracey, and me and my brother, Joshua. I'm going to start with that one first. . . because once you know that story my own makes more sense.

### The story of Tracey & me

My mum and dad separated ten years ago. It had been pretty ugly at home. Dad, he was like a god to me back then. I was 11, pretty mature for my age, and Joshua was six. Mum and dad had been unhappy most of the time I could remember although mum had a rule of never fighting in front of us kids. I can remember her crying and crying late at night and I could always tell when things were bad because dad would be angry and irritated. He used to confide in me a lot about unhappy he was with mum and how mean she was with him. He told me too many things about their marriage, I know that now, but at the time I thought it was because I was special, his little princess. Everyone knew I was daddy's little girl.

Mum left one night and we didn't see her for a week. Later I found out she went to a women's shelter. I didn't know that then and because I never saw dad hit mum, it would never have occurred to me that is what happened. I thought domestic violence was being hit. Dad told Josh & I that mum wanted her freedom, that being a wife and a mother was too restricting, too confining for her. To say I was hurt was an understatement. I was angry she would leave without saying goodbye and I saw it as proof that what my dad said was true: she didn't really love me.

When mum came back I stayed angry with her. I can remember her trying to talk with me and me just walking away. She had never raised her voice at either of us kids but that day she yelled at me to come right back. When I slammed the door to my bedroom she pounded on it for a good five or ten minutes. Then I heard her burst into tears and go away. You know, I was even angry at her that she gave in so easily. Isn't that sad?

Well, mum left again and this time took Josh with her. She explained she was going to a safe place called a shelter and asked me to come but I refused. I thought dad really needed me, and he had told me this many times. They even went to Family Court with mum apparently expressing her concerns about me being left in dad's care.

But when they asked me what I wanted I said I wanted to stay with dad. New changes to the Family Law Act had just come in about the child's right to know both parents. Because I was nearly twelve my decision held some power I guess. My mother had no evidence to support her concerns and so it was decided I would reside with my dad.

Looking back, I was still so angry with mum for leaving and I said many things I wish I hadn't. I can see how weird it was that dad would talk to me for hours about mum and their marriage but mum had never said anything about their relationship to me. She only ever said they could not stay together because they believed in very different things.

I didn't know mum kept fighting for me in the Family Court for the next couple of years. My dad had told me she was angry with me and that she was jealous of my relationship with dad. And to be honest, I loved being at home with dad. I was able to really mother him; make his dinner, wash his clothes, keep the house nice. It sounds really boring but I felt like I was being loving and kind and he was always praising me and bringing me gifts to say thank you.

#### **The story of Dad and me**

It is weird but in a funny way I felt really mature and together. I did well at school and home was peaceful. There was no more fighting. I had a couple of close friends but no-one would come over to my place. I later found out they thought my dad was a little sleazy, so I would just go to their houses to hang out. And during this time I refused to see mum. I was still angry with her. It's true I was a little, um, different! My friends and I, we were the swampys with our black clothes and dark make up. Dad loved it because mum hated it so much. He gave me permission for my piercings early and I thought he was really cool for that. This was before they really took off, back in the days when having an eyebrow done was a big deal!

Anne Morris (2004) has written about a phenomenon she has named maternal alienation, where perpetrators of domestic violence and child sexual abuse deliberately construct a web of lies and manipulation with the aim of creating distance between the mother and her child. The gaze is subtly shifted from the responsibility of the perpetrator to that of the mother. Evie describes how her father spent a number of years comparing her favourably to her mother, withholding important information of how her mother had tried to protect Evie and lying about Evie's mother's intentions when she left the family home.

This is not to be confused with parental alienation, an outdated concept that was used in the Family Court for many years against mothers, arguing that a parent (usually a women) used lies about domestic violence or child abuse in order to harm the relationship between the children and the other parent (usually the father). Parental Alienation was once used in the Family Court to minimize or dismiss allegations of violence against children. This so-called syndrome was discredited in most European, American & Australian Courts by the end of the 20th Century.

Again we see a young woman who is under the legal age targeted by an older man. Blue chases Evie even after he has been warned by his parents and her father.

The ten year age difference suggests this is sexual abuse. Blue has used grooming tactics to seduce Evie. As the adult it is his responsibility to ensure they were not intimate until Evie had turned 18. Consent is often described as a murky area and our society's willingness to call sexual relationships between underage young women and older men 'romance' or 'love' gives permission for men like Blue to seek out vulnerable targets.

When I was 15 I met and fell in love with Blue. He was ten years older than me and a real gentleman. He chased me and chased me. I was smart enough to know my dad would not be impressed with his age but as dad had always let me come and go as I like it wasn't too hard to see Blue after I'd prepared dinner at night. Blue worked in his family business. His family was very wealthy and I guess he earned a lot of money for a twenty-five year old. He called me his little wild child, his act of rebellion. He told me I was everything he wanted to be: free, passionate and true to myself. Blue was the oldest son, you see, and he told me he was the responsible one in the family.

Blue and I kept our relationship a secret for twelve months, until I was sixteen. But he bought me little gifts and jewelry and totally swept me off my feet. Eventually he met my dad, and it would be fair to say they hated each other on sight. Dad threatened him with the police if he ever came near me again. Then dad went around and told Blue's parents. Apparently they were horrified; a girl from a broken home, piercings, with not a lot of money AND underage was not what they'd pictured for their son. Blue told me his mother threatened to kick him out of the family business if he saw me again.

But we did keep seeing each other secretly. It seemed so romantic. My relationship with dad suddenly went downhill. He stopped praising me and buying me presents. He withdrew from me and I was devastated. I tried everything to make it up to him but he wouldn't listen. Blue enjoyed the odd hit of speed back then and I liked the fact I wasn't hungry the way I was with smoko. With the stress of everything I kind of stopped eating and that's when my eating disorder began. But dad didn't seem to notice. Every now and then he'd be lovely again, if I'd cook the right meal or if he thought I looked nice but more times he was just angry. Then came a really, really bad night.

He came home early and caught Blue and I in bed together. He threw Blue out of the house and then hit me and hit me. I can't tell you everything he did, it's still too awful to talk about. Let's just say there is good reason why he never did follow through with his threat to call the police on Blue. I left that night and never went home again. I dropped out of school, even though it was my final year and I was doing really well. Blue set me up in a flat and

went and told his parents we were getting married. His mother went berserk but apparently his dad calmed her down.

### The story of Blue & me

And so it began: me, Blue and our marriage. This is the start of the next story, the next Russian Doll. Blue was the only man I'd known apart from my dad. I was still not talking to my mum and I hadn't told her or my dad where I was. Our marriage began well enough. I am a good cook and housewife after my years of practice with dad. Blue would reward me with surprise gifts, like my dad but more ritzy. He bought me a little sports car one time, a gold fob chain another. But it wasn't the presents I loved, more his tenderness. He confided in me about his mother, how abusive and controlling she was. I could see it too. She hated me from the first moment we met and she was for ever telling me I should go back to school or get a job. Most of all, I think she hated me because I was thin. I was still struggling with eating, but Blue liked me thin. He bought me gorgeous clothes and constantly told me how pretty I was. We got matching tattoos and I was so proud of Blue and his little act of rebellion! I felt very, very loved.

### Circles and roundabouts: same and same again

That was, until I fell pregnant with our first baby. I actually didn't think I could have babies because I hadn't had a period for a while (because of my not eating). Blue lost it. He was really angry and kept on at me to have an abortion. He didn't think it was the right time, we had only been married about 10 months and he had been talking about leaving his family's business and setting up his own somewhere else. He thought if this didn't happen he'd always be stuck with his mother telling him what to do.

But I couldn't, I couldn't terminate the pregnancy. I went for pregnancy option counselling to the Women's Centre and they were really gentle with me about making my own choice. I went back and told Blue. I thought he'd hit the roof but instead he became very quiet and just said OK. He didn't speak much to me for a little while, but I understood that pattern. It was a little like my dad.

*That was, until I fell pregnant with our first baby. I actually didn't think I could have babies because I hadn't had a period for a while (because of my not eating). Blue lost it. He was really angry and kept on at me to have an abortion*

The link once again between pregnancy and the first awareness of abusive behaviour (Angela Taft, 2002). Pregnancy increases a woman's vulnerability, financially and emotionally. Where once she may have chosen to simply end the relationship as the abuse unexpectedly increases, she now finds herself in a different and unfamiliar context. Our society provides many messages about the importance of an intact (hetero-sexual) couple as parents for children. Choosing to separate and face life as a sole parent (or even risk losing the child to him) has kept many women in abusive relationships.



How are you going with the information you  
have read so far?  
If you are finding this challenging, distressing  
or bringing up strong feelings,  
it may be time to return to your anchor.



Apparently he told everyone how happy he was to be having the baby and how excited he was to be a dad. At home thought he was still angry and withdrawn. He didn't come to any appointments and he got busier and busier with work, or so he said. Blue would get up late, leaving home about half an hour later, just time for a shower and shave before work and not get home until 10 or 11 p.m. I was so tired with the pregnancy that I struggled to stay up to see him come in. He still wanted a home cooked meal prepared and would get angry if it seemed over heated. But I never knew when he would get in the door. When I asked if he could come home earlier one night for a night together, just the two of us he hit the roof and yelled at me that he was forced to work these hours because he was stuck in the family business. This was all my fault, he raged on and on, and I had no right to complain.

I also had no right to telephone him at his work. One night I rang to tell Blue I was feeling ill and going to the doctor. His mum answered and she coolly informed me he had left at 5 p.m. just as he had every day since I fell pregnant as I had apparently demanded! I was really confused. She always scared me, the mother-in-law (or dragon-in-law as I called her). When I told her I did not know what she was talking about, that he worked back every night she practically called me a liar and hang up. But before she did she gave me a tongue lashing about catching a rich man and assuming I could order him to work less hours. Needless to say I came back from the doctors ready for a discussion with my hubby! But it seems mother-dearest got there first; Blue had already heard about my phone call and came in the house yelling at me never to invade his privacy again! He told me I was not to ring his work and never to speak with his mother alone. It was all too weird.

When he had calmed down he told me he had been so worried about the money we would require for the baby that he had been working overtime for a mate, cash in hand, and had not wanted to tell his mother. Blue said he hadn't told me because he didn't want to distress me. Then he cried and cried and said he was sorry and promised he wouldn't yell again. He explained he would get really upset with his mother, her control and nagging that he would want to explode and so instead he took it out on me. I knew how horrible she could be, so I forgave him.



We also fought about the speed. I had stopped using when I fell pregnant but Blue still enjoyed a bit of everything. He drank a bit but he used more and some weeks his pills and stuff cost him more than our mortgage. I thought he should worry more about this than the cost of having a baby. But in some ways Blue was easier to live with if I didn't question the drugs. So I let it go and concentrated on keeping myself healthy.

That wasn't the end of it of course. Lilly was born and I have never been so happy, so overwhelmed with love. Blue hated my feelings for the baby but it wasn't like I could hide them. In public he was all smiles, the picture of the perfect father really. But home it was really awful. He was angry and wanted all my attention. He didn't want me to breastfeed because he thought it would ruin my breasts. He was so angry I agreed and it broke my heart. Then I found out he had told everyone I didn't want to breast feed because I thought it would ruin my breasts! That confused me so much! Why was he lying about me? He denied it but his mother had told someone who knew my best friend; country towns are like that. Then, just to top it off Blue changed his story again and said that he HAD said that to his mother because he thought that was what I thought, that he had only nagged me to stop breastfeeding because he could tell I was really hating it but I was trying too hard. It was crazy-making stuff, it really was.

I could go on and on about our years together but I won't. We had Ethan next and then little Riley. The second pregnancy was bad enough but when I told him about the third Blue was so angry he punched a hole in the wall then shoved me backwards so hard I fell over. It shocked me, but more than that it really, really frightened me. Until that moment I had been able to convince myself that he was just stressed or that we were just having couple problems. When he began to hurt me physically, well that scared me so much.

Things at home got worse and worse. None of my friends had children and so we sort of drifted apart but it was also that Blue hated to have company at home. He said it was because he worked so hard he didn't want to have to put on a 'front' with other people after hours. And it would have been a front, because when he was just being him, well, he was a pig. The verbal stuff got worse and worse. But after Ethan he became really cruel, sexually.

Crazy-making: a term often heard in domestic violence support groups to name those actions, phrases or responses that seem to foster a belief that it is the victim that is mad, rather than the perpetrator who is deceitful.

Sadly for Evie, she is set to also be targeted for maternal alienation tactics by her own husband. Unlike her mother, where Evie was only aware of the alienation occurring within the family, Blue was setting up Evie to be perceived as mad by those in the extended family and in other areas of their life.

Blue was the only one I had ever told about what my dad did to me and he used it to twist the knife in. He would use the same words, do the same thing dad did, even when I was crying and crying, telling him to stop.

Most nights, if I could, I would sleep with Lilly in her bed because that was the only way I could be sure I would rest without him forcing himself on me.

This is the time where people usually ask *why did you stay?* Well, it's as simple as this. I really thought I would lose my children. His mother came to see me twice. Both times she told me if I left Blue they would make sure he got the children. She kind of spewed all this venom at me: that I was mad, I was mentally ill, I had bi-polar disorder, I was anorexic, I spent all Blue's money; I made his life hell. Well, the anorexia was an old problem of mine and yes, some weeks were better than others. But the rest of it was fruit-loop stuff.

Now, of course, I know Blue spent a lot of his time telling his family and everyone that listened that I was mad. He told them all he was late to work because he had to get the children up and feed them in the morning because I refused to do this (actually he was always late because he was hung-over or still coming down and anyone else apart from his mother would have seen that). I can count on one hand the number of times Blue has ever cooked a meal. He simply doesn't know how. When I was in hospital his mother cooked dinner for him and the other children. To my knowledge he has never bathed a child, never read a good night story, never even spent more than half an hour alone with them. He just doesn't have the energy, he says, because he works so hard. And the kids, well they were scared of him. Like me, the two older ones were quieter when he got home and made sure, even the two year old, they didn't get in his way.

Blue told his family I spent all his money, like an addiction (didn't mention his speed or pills). He had this line that he 'didn't touch medicine', so if he had a headache (*hangover* to me, *stress* to his mother) he would refuse to even take a head ache tablet! When he was around his parents he would say he didn't really like to drink a glass of wine (*no*, I'd think, *not a glass, you prefer the entire bottle stolen from their well-stocked cellar*).

They thought Blue was clean living, hard working and a slave to my every demand. If only, if only I'd taken a video of what really happened!

But the truth was they are wealthy and they are posh and I knew that if they wanted they could afford the best lawyers. And me, well I didn't really have anyone. I could never speak to my dad again and I still hadn't had the energy to find my mum, so every day I just focused on my beautiful three children. Having three so close together would be hard enough if all was well. Having their father a walking time bomb made it even harder.

I started to go to counselling about my problem with eating. I hadn't been able to breast feed my last baby either because I wasn't eating well enough and that made me think it was time to do something about it all. The counselling centre I went to was wonderful. Although they helped me plan how my life might begin to include food they also gave me the space and time to talk about my life, living with dad, his assault and then my marriage. It took a long time, it seemed, to begin to get my head right; six months of going every week. I could only get away with going to counselling because the Centre was just down the street from the shopping centre and Blue thought I was getting the groceries. By this stage he was always checking up on me; ringing my mobile five or six times a day, checking where I was, driving past our house or where ever the car is supposed to be.

#### Finally knowing it's time to go...

Then one day it all kind of came together. There was no particular 'incident', nothing out of the ordinary. He was his usual self; rude and angry because I was refusing to have sex. Ethan had come into the bed with us in the middle of the night with nightmares and he and I had fallen fast asleep. Next thing I know Blue was on me, wanting sex with the child right there. No way, I thought. I took Ethan back to his room and stayed up until morning, just cleaning and getting the housework done as quietly as possible. When Blue got up he was his usual morning self. His mother rang about something, as usual, she said nothing to me and asked to speak to Blue. He went on and on about Ethan's nightmare and how he had got up and looked after him, so could he come in late, he was tired? I was disgusted. And so, I picked up the kids, packed them in the car as if we were going shopping. As I went out the front door I just turned and said 'good bye' to Blue.

The threat of money.

Unfortunately it is true that easier access to financial resources allows one greater capacity for legal advocacy and support.

Some of the women in the report *Seeking Safety, Needing Support* Report state bluntly that money, not justice, rules the Family Court.

*He pleaded and pleaded for me to come home.  
Once he realized I was serious about separation,  
it was as if someone flicked a switch in his head.  
He grabbed me and dragged me outside. I was  
calling out for help and even though the girls all  
came to help me he shook me and shook me.  
I fell on the ground and  
he kicked me so hard my rib broke.  
I think my heart broke too at that point...*

I went straight to the home of an old friend from school. We sometimes bumped into each other, this being a pretty small town after all, but it's not like we were close any more. Still she was fantastic. She took me & the kids in and let me call my counsellor at the Women's Centre. We arranged an appointment for later in the week. Then my phone began ringing and ringing. It was Blue: where was I? What was I doing? It went on and on. He left 7 messages in 3 hours and finally claimed he was reporting me to police. So I rang him. I told him the marriage was over, that I needed time out and asked him to leave me alone for a couple of days. I reassured him he could still see his kids, we could work something out. I wasn't planning on disappearing in to thin air. I just needed a quiet space to think about where to from here. Unfortunately though, I had used my friend's landline. I forgot his work had caller I.D.

Later that afternoon, my friend was having some mates over. Blue arrived on the doorstep. When I opened the door, there he was. He pleaded and pleaded for me to come home. Once he realized I was serious about separation, it was as if someone flicked a switch in his head. He grabbed me and dragged me outside. I was calling out for help and even though the girls all came to help me he shook me and shook me. I fell on the ground and he kicked me so hard my rib broke. I think my heart broke too at that point... because I looked up and saw my little girl, my beautiful Lilly standing there too shocked to cry. Next thing I knew, the girls were all yelling at him to go, they were calling the police. Blue took off, tires squealing like a bad movie. My friend helped me into the hospital where I had x-rays that confirmed my rib was broken. I kept the children with me because I was so frightened about what Blue would do next. The four of us, and my friend, were exhausted by the time I was released. When we came back all four tyres on my car were slashed and the front windscreen was caved in. I just ignored it, I had no energy to face another drama. The kids and I curled up in bed together and just crashed.

Early the next morning his mum rang on my mobile. She warned me again that if I left with the children they would make sure everyone knew I was an unfit mother. It was awful. She went on and on and I was almost more scared of her than I was of Blue. She quoted all this legal stuff at me that I could be charged and jailed for running off with the children.

I actually believed her; I was young and frightened and she sounded really convincing. Then Blue rang again, crying and apologizing. He begged me to try one last time, promising to agree to anything I wanted. He said he was ashamed and disgusted that he had hurt me and that he could see now he had a problem. He promised to get help. Well, I talked it over with my friend and we agreed I would go back to Blue's for a couple of days, find out my legal rights and make sure when I left Blue for good the Court would be satisfied I was doing the right thing. I was really scared he would punish me by taking the children. I was a little scared for me, but I was mostly scared for the children. How could he be trusted to keep his temper with them? They are so little, so young.

So I rang Blue and suggested we talk about how we could manage the next step. He cried and cried again, went on again about how much he loved me and how he would never hurt me again. He promised that he wouldn't pressure me for sex and that everything would be wonderful like it was when we met. He came around to pick me and the children up, bought flowers for my friend to thank her for all her support (I'll let you guess what she did with those flowers!). He said he had arranged for a tow truck to pick up my car and take it to be repaired.

#### First contact with the Family Court

But I wasn't convinced and I wanted to make sure this time I was doing it all legally. Actually, to this day, I'm not sure anyone knows what the 'legal' way is to leave your partner if there are kids involved and he is abusive. The next day, after Blue left for work I rang all the legal information services I could to find out what I had to do. It seemed I had to go into the Family Court to get the right forms because I didn't have email access and I couldn't get them sent home, obviously, in case he got them.

I didn't have the car back yet so I took the kids with me into town on the bus. It was long and hot and I was so jumpy and scared. In my head I thought going to the Courthouse would be so straightforward but instead I was messy and scared and lost. It took me so long to find the right place and in the end all I had was a bunch of forms. I was so tired and sore I couldn't see straight and I felt Blue was right: I'm stupid and slow and not fit to look after anyone.

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Most crisis accommodation services are now set up to enhance independent living options, with families placed in self contained units that are linked with outreach workers for additional support. It is a long way from the original large old Queenslanders that the first housed North Queensland women seeking shelter from abusive partners. But some still long for the camaraderie of the old services.

Others are simply sad that the demand has not decreased, that thirty years on, women are still requiring safe places to hide from male partners.

By the time I got home it all seemed so useless. I made it back before Blue but then Lilly was chattering about the bus when he got home. It was so strange. He was actually really kind and helpful, setting the table and even offering to bath the kids. I was terrified. I could tell something was going to happen but I wasn't sure where, when or how. Sure enough, after the children went to bed, he set into me again. He didn't touch my face but he punched me in the stomach, my back and kicked and slapped me over and over. I was trying to protect my ribs so most of his kicks were to my bum and legs. Blue didn't even know why we'd gone to town; it was enough that I'd gone without his permission.

Anyway, it turned out the hospital had reported my broken rib incident to the police and child protection people and they both visited three days after the second assault. The police suggested I get a domestic violence protection order. The child protection people were concerned I had returned to Blue's home and told me that if I didn't leave the children would be considered in danger and would be removed. They gave me the number to get into a shelter. It was a telephone service and I remember feeling like it was taking forever to find somewhere. They asked so many questions and they wanted to know what he had done. It was confusing and hard to find the words. Then it turned out I couldn't go into the Townville shelter because his parents live only two blocks away and his work is nearby. So the children and I packed the car (thank god this was one promise he kept) and drove the long journey to the nearest shelter with a vacancy, about 700 kilometers away.

Anyone with children knows that is about a twenty hour drive if you're lucky. I was sore from my broken rib, bruised, exhausted, filthy and very scared by the time I got there. But the workers were so nice and our rooms were neat and welcoming. It wasn't what I imagined when my mother had left to a shelter all those years ago. Even then, I never dreamed I would stay away from Blue forever. I mean, I knew I couldn't live with him but I did think every child deserves to know their dad. I just wanted to make sure that the kids would be safe with him, that he'd know how to care for them. My time in the Shelter was a bit of a breathing space. I lost it a little; I was just kind of shell shocked for the first week. The workers, they just let me be and told me to take my time. I will never forget how lovely they were.



### Ordered back by the Family Court

I'd been at the Shelter about ten days when I heard from my friend in Townsville that the bailiff had called looking to serve papers on me. When I eventually received them they were an immediate recovery order from the Family Court. I was being ordered back to Townsville with the children. The shelter workers were shocked, especially as the Queensland police had known I was going into crisis accommodation. The Shelter helped me link in with the Women's Legal Service and community housing in Townsville. They arranged a small house in one of the outer suburbs, amazing because in Townsville it can take a couple of years to get subsidized housing. I was really grateful but really scared.

I wasn't eligible for Legal Aid so it was just me in the Family Court. We had to go to mediation first and that was when I found out Blue was asking to have the children for half the time. One week his place, one week mine. He also wanted me to stay in Townsville, not to leave again. His parents were going to restructure his work so he could be at home with the kids during his week. That shocked me. But what made it even harder was listening to his lies. We were in the same room, him with his lawyer and he just lied and lied, saying things like he cooked all the meals and cared for the children because I had a mental illness and couldn't care for them!

I think it would have held up, too, they would have believed him, except at the very end he got really nasty with the mediator. She had asked him to stop talking for a moment, to let me answer for myself and then he told her what he thought of her. His lawyer shut him up quickly but still! Afterwards she just asked me: is he always like that? I said yes! And she rolled her eyes. She said carefully I should consider ways of funding a lawyer if possible. She asked about my family and I told her we weren't speaking. She suggested I think about it.

After that I decided to bite the bullet and contact mum. She doesn't live in Townsville anymore but she was wonderful. She flew straight up with Josh and they hugged me and we all cried. Mum was really upset about dad but not surprised. Then she offered to pay for legal expenses for the Family Court. She rang Women's Legal Service, got the names of a few lawyers and then we went and visited all three. We made the decision based on my gut feeling, the one I thought was the smartest. He had a good record and he knew Blue's family well. What do people do if they don't have money?

Gordon Bazemore & Twila Earle (2002) identified that victims of intimate partner abuse were particularly disadvantaged by mediation. Mediation assumes negotiation occurs on an equal footing. The context of violence and control within which domestic violence occurs can be such that even the most experienced mediator cannot prevent overt or covert intimidation by the abusive partner (Barbara Hudson, 2003).



*The thing that shocked me most about the Family Court was that they just didn't want to know about the domestic violence. I was shocked. Really shocked. Really, really shocked. How come the Department tells us to leave because of the violence but the Family Court doesn't care?.*

Property Settlement seemed significantly less important to the women interviewed for the *Seeking Safety, Needing Support* Report. Most stated they did not demand the amounts their legal representatives believed they deserved. Instead Evie's comment about hoping it would appease Blue if she did not chase the settlement to which she was entitled seemed representative of many of the women who had experienced relationship violence.

I can't even begin to think what would have happened without mum. If I had kept representing myself, I think I would have lost from the start. But even more important was just having mum there, someone on my side.

The thing that shocked me most about the Family Court was that they just didn't want to know about the domestic violence. I was shocked. Really shocked. Really, really shocked. How come the Department tells us to leave because of the violence but the Family Court doesn't care? I wasn't successful with the Domestic Violence Protection Order because Blue brought his solicitor along. The only abuse that was witnessed was the shaking and the kick that broke my ribs, but his lawyer argued it was an accident and I had brittle bones from my anorexia. He also noted I was only bringing this up because I was beginning proceedings in the Family Court. His lawyer was really clever. He said normally he would recommend the man just accept the conditions of the Order as Blue would never ever do anything to breach the Order (yeah, right), but that it may be used against him in the Family Court. The Magistrate seemed to agree and said that he would leave it to the Family Court judge to decide Protection arrangements. So it seemed there was no evidence that would count in the Family Court.

But the strange thing is, even if I was making it all up for the Family Court it doesn't matter anyway. My solicitor was quite blunt. Unless we can prove the children have been harmed by witnessing violence and that this is likely to continue happening, it doesn't seem to matter. Its kind of as if they think, well they've separated now, so the fighting will stop. But what they don't get is domestic violence is about more than fighting. He wants to punish me. If I'm not living there any more he's going to hurt me another way; he's going to hurt me through the children.

#### Property Settlement?

The property settlement was not hard. I didn't want anything although it was hard to give up the car. The public transport in Townsville is not good but I just couldn't face Blue's anger any more. I thought if I let him have everything he'd leave me alone. It's true while we were together he gave me and the kids lots of things.

But they were not the things that mattered to me. And I never had a say in the budget, the spending money, so it wasn't such a great hardship to let it go. It was also fun to finally shut his mum up about my supposed aim to milk him for all his money!

We negotiated that the children would live with me for now and their dad would see them each weekend and one night a week for a couple of months until the interim hearing. Blue wasn't happy but the Court took into account the children were really, really young and that they hadn't stayed overnight alone with him yet. I was still really scared for them; I don't think he's safe. He still uses speed regularly and I think it has messed with his mind. I think he has started to believe the lies he tells and I'm worried about what he will be like with the children. But when I bought this up with the solicitor it got really ugly. His solicitor then argued right back I had a mental illness, possibly bipolar disorder, and that my anorexia was impacting on the children. That one really hurt. I have done everything in my power to make sure my eating problem does not hurt the children and over the past twelve months, especially since leaving Blue, my eating has got so much better.

It got worse. Blue's solicitor then alleged I was an unfit mother because I had been in a sexualized relationship with my father until I left to marry Blue. At this point, Child Representatives were appointed and the Court people began to describe us both as a particularly nasty case. That seemed unfair: my comments weren't unfounded or 'nasty'. But all of a sudden it was as if we are both as bad as each other.

#### **Contact handover as an excuse for abuse**

It was awful and I don't know what I would have done if my mother had not been so supportive. Contact handovers were horrible. Because I don't have a car Blue would come to my house. He would arrive and come inside as if it were his and never leave. Because I don't have a Protection Order, the police were reluctant to do anything unless he hurt me. Blue would beg me to take him back, whine about his mother, threaten suicide and then finally get angry. In the end I requested handover at the Contact Centre. But he refused to comply, arguing I was building a case for having him look as if he were abusive. What a nightmare. It's not like I can ask friends to help out; they are all scared of him too. I would hate it if he hurt one of them during the contact handover.

Men using tactics of violence and control can use issues of contact & residency to exercise coercion and control over former partners (Rendell, Rathus & Lynch, 2002). Family Court mediation and Court hearings occur at a point where violence may be at its most dangerous. The identification of frequency, severity and potential lethality of violence mounts a persuasive argument for a support service that addresses the safety of women accessing the Family Law processes.

In addition to the higher frequency of abuse perpetrated by men against female partners, findings from the Dale Bagshaw and Donna Chung (2000) review of literature show women are more likely to be seriously injured or murdered by their current or former partner.

One in four homicides of women murdered by current or ex-partners occurred after separation (Jenny Mouzos & Catherine Rushforth, 2003). Australian female homicides are carried out by current or former partners in almost 60% of cases.

Crimes statistics do not suggest that men are equally at risk of victimization from their female partners. Less than 10% of homicides of men are by intimate partners. In 90% of such cases a history of domestic violence perpetrated by the male partner has been identified (Jenny Mouzos, 1999).

And mum and Josh had to go back home because Josh is still at school and mum has to work to pay my legal bills. More than that, though, I get scared that if I'm not there, Blue will lose his temper and do something worse, maybe even to the children, as payback. It seems easier for now to just try and keep the peace. So when he stays and stays I ignore him as much as possible and try to go out to the garden or ring a friend.

But whatever happens to me I can live with; it's the kids I worry about. Thankfully their dad usually just hands them over to his parents to care for. Their grand-dad I don't mind; he's kind of quiet and hen-pecked. But I worry about their grandmother. Is she the reason why Blue is the way he is? My Mum reminded me, though, that perhaps Blue's mum is another story, another Russian Doll. Perhaps he had lied to me about her the way he lied to her about me? We'll never know.

I've come to accept this is probably the way it will be for a long time. Blue has told me many, many times he will never leave me alone and that if I find another man he will kill himself and the children. Every time, and I mean every time, there is one of those murder suicides he rings me, just asking me if I want that to be my children. I've stopped reporting it to the police because they are only words, after all, and no Court seems to take it seriously. I can't cope with telling my story over and over again. I told it to my lawyer, then I had to repeat it in mediation, then I had to document it for the Protection Order application. I keep hearing people say things like that's terrible. How could you not get a Protection Order? One of the social workers from Child Protection actually asked me what had really happened because if what I said was true, then of course I would have got the order. I gave her my friend's number and suggest she speak to her as she was a witness to the whole thing.

I forgot to mention that Blue's mother enjoys ringing Child Protection about every little thing; she must have them on speed dial. So far there has been nothing that has warranted police or JAB investigation but no doubt it will come to that. The children are still too young to understand and I refuse to play tit for tat. My latest line is that *'I am glad that my children are being watched so carefully by Child Protection'*. I've been practicing my Cognitive Behavioural Therapy ideas: change the thought to change the emotion.

Instead of seeing the involvement of the Department as a threat or a nuisance I see it as the children's safety net. Most of the time, anyway.

You know, I still have feelings of fear every single day. Sometimes they slide in and out quietly and quickly; other times fear seems like a heavy blanket, smothering me with unwanted heat and darkness. I still have nightmares about Blue, about the assaults and the manipulations. True, he hasn't hit me since I left but I always know it's a possibility.

#### Living regardless

I am managing by being grateful for every single minute I am alone with the kids and no Blue. I love being in our lounge room; we have no furniture, just lots and lots of cushions. I haven't got a TV yet so instead we draw and read and play games as a family. And I love to hear my children giggle with me. Most of all I am scared for Lilly. I will do everything in my power to prevent my story becoming her story. My Mum and I are close at last and I am learning about the cobweb of lies (as my counsellor describes it) that my dad spun around the family to shut her out. Well, the cobweb isn't invisible now and we can challenge what we see. My little family will survive and fly, just like the dragonfly poem.

We **are** strong in places he will never know about!

Australian crime statistics suggest men's lives are not placed at the same level of risk as women and children post separation (Angela Taft, Kelsey Hegarty & Michael Flood, 2001).

Crime statistics demonstrate that women are more likely to die post separation from acts perpetrated by former partners (Jenny Mouzos, 1999).

Australian studies have identified the handover times for children's contact with their father as a situation in which abused women may be exposed to greater risk. Because of this, children and young people can continue to be exposed to the abuse of their mother and in some cases themselves (Catherine Humphreys, 1999; Lorraine Radford Marianne Hester, Julie Humphries & Kandy-Sue Woodfield, 1997, p.477).



## 6. Lainey (33)

My name is Lainey. My people are the traditional custodians of the land you see around us. I was given 4 children by the grace of my God; I do not own them, they are not 'mine'. But when their father, their white father decided to make it about ownership, that's when we came to the Family Court of Australia.

When I think about the last few years there are just a couple of points I want to make. I am proudly Black. My mother was Murri, I think my father was Islander, but we're not completely sure and it never mattered anyway. My former partner, the father of my kids, he was white. And that I think is a big part of the problem.

I am guessing you will almost never see two blackfellas in Family Court. I think there are a couple of reasons for this.

First is the money. None of us has this kind of money the lawyers want. If one gets represented by Aboriginal Legal Service then the other can't. So that person's going to have to agree to whatever, because they haven't got a lawyer. That's the practical reason.

The other reason is we almost always have our own way of sorting this out in the family. Children are precious in our culture. When we are true to our spirit, children are the most important things in our world. Now, if someone was to take off with a child as payback to its mother, well then the family would all get in and sort it out. Plus we don't kind of 'own' the children the way white people do. All of us as cousins and aunties and uncles and grandparents and elders, all of us care for our kids. That's just the way it is. So that way it's easier for us all to work out among ourselves who it is best for the child to be with at that time. This idea of a court ruling is very foreign, very strange. Especially as every day brings its new dawn, every day brings changes for the child. What if she don't blossom any more in the same place? Do you keep her there because of a piece of paper? I think that could be abuse, child abuse. But anyway.

The other reason, the one why we won't stay in Court even if we have to go there is our history. You can't just come in and change 200 years of invasion, genocide and cruelty and expect us to respect your Courts. Everything about them sings us back to our family that has been hurt, they who have gone to their deaths in your Courts.

Me, when I was forced in there because the white father of our children wanted to punish me for leaving by taking our kids to his house, when I was forced in there I found it hard

just to sit in that room. There was a man just like the television with the white wooly sheep on his head and we was supposed to get up and get down, bow and all kinds of nonsense. I tell you, if I hadn't been so worried I'd be giggling away.

I'm not going to talk about my sad story because whenever white people research us they focus on the bad things, the violence, the abuse. All I can say is this white man, the father of my children, he abused me badly for many years. And when I finally stood up to him and left he found a different way to wound my spirit. He claimed my children.

You ask me what we Murris need in Family Court? Actually you asked what we need if we are having abuse and in the Family Court? Well, I can tell you, not many Murris will be in here if there's no violence. Anyway the first thing I believe is we need spoken help.

The printed pages, the websites, they are not helpful to lots of us. Not because we're ignorant, because if we are here and it is about our children, our heart is being ripped out and we are not going to focus on a page. And not many people have a spare computer at home in my community.

When I say spoken help, I don't mean telephone lines. Many of us, particularly from remote or tribal lands, we don't like to talk on the phone. You speak so fast and we can't look you in the face, we can't absorb your intention. If we have been hurt, abused, then your intention is even more important to us. Let us have someone here, in the Family Court. Someone with time. Murri time. To take is slowly and talk us through what these strange things mean.

The other time we need help is with the lawyers. Now, they might be speaking English but I have no idea what is said. You know I often come away from white people and think, what did they say? I believe it is because they were speaking with no spirit, no intention. It was just words. So I couldn't hear their spirit, couldn't understand. Lawyers are like that. They are all busy, all running. And what they say, I need someone to guide me, to remember it for later. So they could come too and talk about what was said after. That would help me, for sure. I think it would help others.

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*Plus I have lived a lifetime being proud  
of my strength, my heritage and suddenly  
now they talk of me as the victim.*



It was the hardest to share my story with the solicitors because it was my shame that this man treated me so bad. Plus I have lived a lifetime being proud of my strength, my heritage and suddenly now they talk of me as the victim. I can never tell you how much I hate knowing the first person that gets to hear it all is this solicitor. And she is as cold as cold and just keeps asking me: do you have evidence? Were there witnesses? Were the children harmed? It would have helped to have another there who could listen with open ears for the sadness, for my first opening. Then maybe, I wouldn't find myself crying on the bus back home, burning with shame at the memory of her cold eyes.

Also, could there be a place for children to be cared for? It seems silly that this is Family Court but they think family doesn't have children with them. I guess the people that make up the laws are so used to child care they forget about those of us that like to mind our own.

The last thing: if you are writing Family Reports and these are important in the decision making, let them be written by Indigenous peoples who have the knowledge about how our tribes and kinship works. Don't assume we are like you because our families, our beliefs and our practices are like rock and water to yours.

You mention dragonflies, and I like the poem. It is a good one. Can I tell you about my grandmother's belief? She said dragonflies bring hope.

I hope this story spreads a little hope.



My name is Lori and I am speaking in the hope that someone, somewhere will read our stories and begin to wonder. I would like them to wonder what we want our Courts to stand for. Is there a role for safety, for fairness, or are the cynical comments of all I meet indeed a reflection of the world in which we live?

I'm going to work backwards in time to describe my experience.

At the moment my children and I are separated each Friday for two full days. Artemis is three, a cheeky, curious little girl who defies the norm by adoring green, rather than pink. Marz is quieter, dreamier. He is my little fella and reminds me much of my own qualities of reticence solitude. I left their father after five stormy years together. I left him because I truly believed my children were no longer safe near him. I thought that, in leaving, the Courts would ensure the time he spent with them was safe and supervised. But this wasn't to be. Instead the Court is preparing me and the two children for the time when we will share them week about. And so it is that I wonder if in fact it would have been best if I had found a way to stay with this man I have loved so much, given so much; the thought of whom now fills me with dread and fear.

The Interim Court ruling has made it clear that the two children will soon be expected to be picked up by their father from day care on a Friday and returned the following Friday. On public holidays we are to meet at the Strand, our local beach-front park, despite the fact I repeatedly requested the handover be in a safe environment such as a police station or Contact Centre. My State Domestic Violence Protection Order is over-ruled at these times by the Federal Family Court ruling. At all other times he is forbidden contact, in theory at least.

My children and I live in a tiny rented unit. We have one bedroom (where the children sleep), a second hand fridge, a couch (where I sleep) and three fans for the sticky North Queensland heat. The children have clothes but it is not uncommon for their father to 'forget' to send back the bundle I pack each weekend for contact visits. They also have toys. I have some of my beloved books. I hope one day I can concentrate on reading again. Their father, Blue, lives in a five bedroom house we used to call 'ours'. There is no mortgage remaining but there is much, much furniture. He has two cars in the garage. I have finally purchased a small second

## 7. Lori (39)

*Lori & her former partner 'Blue' had been separated just on twelve months when she was interviewed. Both Lori and Blue identify as Anglo-Australian. At the time of separation they were both employed as professionals. During the five years they were together, Lori and Blue had two children, a daughter Artemis (3) and a son Marz (13 months).*

In 2005-2006, the Federal Government committed the biggest ever investment in the Family Law system (\$397.2 million over four years) in order to support a cultural change in the way family breakdowns are treated (Attorney-General's Department [AGD], 2005a). The adversarial system of court based agreement is to be replaced by an emphasis on mediation, support and counselling. It is anticipated by the Federal Government that disputes about post-separation parenting will be resolved more amicably under new requirements to participate in compulsory mediation through the new Family Relationship Centres (AGD, 2005b).

hand hatchback that drives like a dream even if it is twenty years old. In our tiny flat there is much love and laughter. Another contrast: his face speaks of lonely nights with too much rum and too little peace.

I do not get any child support. On paper his company earns little. The reality of course is different but that really has no bearing on outcomes. When we move to the Court planned fifty-fifty shared parenting arrangement I will have to pay him some money as it is possible my salary will place me in a more favourable position, according to taxation records. I don't begrudge my children a cent of course, but it is ironic to note the difference in our lifestyles.

In many ways I assume from that snapshot it all seems pretty standard. Perhaps I am a whinging, whining woman, one of those the Dads in Distress spokespeople love to describe. And you know, I probably fit their stereotype in the worst couple of ways.

Blue and I separated one month after Marz's birth. My four year old niece said to her teacher that her uncle liked to do funny things to her, and rattled off an array of sexual acts. Child protection was informed and police were called. I packed up the children, retreated to a friend's house and watched in disbelief as our lives crumbled. Even sadder was witnessing how ill-equipped our legal system was to cope with young children and sexual abuse. The niece did not repeat her story in the right way to the right people and eventually the case was closed.

In addition, just to make the Father's Rights Mob day, I had never spoken of my partner's abuse until we separated. I know, I know; this just makes it appear very timely and silly me, I should have been aware of this and begun disclosing more freely prior to leaving. Yes, he was abusive. He was manipulative, cruel and at times I believe evil. Yes, he was physically abusive, but sometimes that was the least of it. He killed my puppy, to punish me for disobeying him one night. He destroyed possessions I brought with me to the relationship. He told me over and over again I was ugly, I was stupid, I was fat, I was weak. I was too rocked by the violence to do anything, tell anyone.

I couldn't believe this was happening to me and I couldn't believe the man who had romanced me so sweetly could behave so cruelly. Most of all I was terrified of what he was capable. That was why I believed my niece when I heard her story. And at that point I knew I had no choice but to leave.

Do I have evidence of all these acts? Not really. When preparing for my court case I had to go back to neighbours, to acquaintances, to work colleagues and ask if they had noticed anything, would be willing to provide a sworn statement about it. That, in fact, was almost the most devastating of all. Admitting to so many people not only was our relationship over but it was over for reasons too awful to speak of.

Because I had little evidence, just my word against his, the Court simply has to assume that one or both of us are lying. My allegations were described as ludicrous by his Barrister, further evidence of my (alleged) mental illness. The Child Representative, who chose not to meet the children, stated my 'disappearing' to the friend's house (after my niece's allegations) suggested I was inclined to be a risk of depriving the children of the father. He was the one recommending a fifty-fifty arrangement.

Because I was forced to take leave without pay in order to find a new home and support my children through the shock of sudden changes, my finances were stretched tightly. Blue closed our mutual accounts the day I left. I had to beg, borrow and steal from friends and family until I could open a new account for my pay to be deposited, let alone return to work. All this meant I quickly ran out of resources for legal advice. My parents, retirees, offered to put their home up for sale but I just couldn't allow it. In the end I was self represented, up against a Barrister who cheerfully ate me for breakfast.

At present I am not allowed to leave Townsville with the children without Blue's approval. I relocated here with him, leaving my family and friends in Melbourne. My only real supports had been my sister (the mother of the child Blue is alleged to have raped) and my gorgeous gay work colleague who so generously allowed me to hide out for two weeks with the children before finding my own new home. Needless to say, my sister fled back down to Melbourne as soon as Queensland Police closed the file on her daughter's case.

At present, about 2% of separating families with children require final court hearings to resolve parenting disputes. The other 98% resolve issues by negotiation, mediation or conciliation (Australian Law Council, 2004).

According to the Family Court, violence is a factor in the majority of cases of judicially determined cases (Family Court of Australia, 2004a). Additional literature supports the position that those cases most likely to end up before the Family Court are those where violence has occurred in the family (Miranda Kaye, Julie Stubbs and Julia Tolmie, 2003).

This statistic does not include the many women affected by violence who may be too intimidated by the abuse to continue the negotiations or adversarial processes in the Family Court.

For more about American Indian Totem Animals, see *Medicine Cards: the discovery of power through the ways of animals* by Jamie Sams & David Carson (1988).

Meanwhile Blue has his family and his businesses here. But I guess, he has no friends, for not surprisingly, he doesn't get on with many people. Although I haven't had the energy to date, I plan to slowly unfurl my protective fronds and seek out other like minded women for friends... when the time is right.

Most days I see Blue as he continues his preferred habit of stalking me, just far enough away to ensure he cannot be breached. Every time we are forced to meet to hand over the baby, my little boy, he just has to dig the knife in. It is amazing what can be said in five quick seconds and how easily he finds my soft underbelly even now, to sink the knife in and twist with sudden ferocity. Legal advice has been helpful but there are times when for the children's sake we have to meet. It is something I will need to acknowledge and prepare for, for many years to come.

So here I am. I am proud to be part of this collection of anecdotes though I have had to take extreme care to disguise key information enough to avoid accusations of libel and slander. I thank my spirit guides each day for returning me to a place away from the man that sought to harm my children and I. And with his negativity and ridicule gone from my day to day life I have enjoyed reconnecting with my beliefs. In Native American medicine, the dragonfly reminds us it is time to break down illusions that restrict our actions or ideas. Perhaps for me this was the illusion that I could heal this man and make him better?

All I know now is that I can only protect my children for two weeks in every four. I hope pray, wish and whisper that this will be good enough...



### The family before separation...

Michele smiles as she recalls the beginning period of her relationship with Blue.

*I was 26 or 27 when we first met, based in Melbourne with a successful career in administration and P.R. He was younger, 21, but so determined! He really knew what he wanted, you know? He chased me down in Melbourne, came into my life very quickly. His confidence, his woo-ing. I found myself falling in love very quickly.*

Michele agreed to relocate to Townsville from Victoria. She found it difficult to find work in her area of expertise and had to settle for part-time work in a different sector on a much lower income. Although her mother and step father were also living in the Townsville area, they were managing a small business & working long hours; Michele was reluctant to add to their concerns by discussing her own challenges.

*The first year was rosy, and I built new relationships with his existing friends and family. By the second year however the glow was starting to dim a little. For a start, I was earning much less and we were living in what was then the outskirts of Townsville with no public transport. We were engaged and I fell pregnant pretty much straight away. We agreed I would give up work to be the full time carer of the child and as most of the work around was casual I wasn't going to be employed anyway. It was around this time the problems really developed.*

Discussions Michele would have once named 'arguments' deteriorated into sessions of name-calling and verbal abuse of Michele by Blue. Michele began noticing fear about Blue's anger and the repercussions for herself when he became outraged. In addition, Michele had a growing unease about the different access of Blue and herself to household income.

*He was earning the income and believed I didn't have a right to ask him about how much was earned, suggest how we could spend it... around this time I was no longer drinking or smoking because of the pregnancy. I chose to give this up. But that was the beginning of our difficulties with his smoking of marijuana. Because he thought I had no right to tell him what he could or couldn't do. I was just concerned about the baby, you know?*

## 8. Michele, (39)

*Michele and her former partner 'Blue' have two children, now aged 10 & 9. They were divorced seven years ago after four years of marriage. Living together for three years prior their wedding, at the time of separation their daughters were aged 18 months and three years. Michele returned to study after the separation and is now employed as a social worker. Blue has maintained full time*

Definitions of family violence from Family Law  
'...conduct, whether actual or threatened, by a person towards  
or towards the property of, a member of the person's family  
that causes that or any other member of the person's family  
to fear for, or to be apprehensive about, his or her personal  
wellbeing or safety."  
(Section 60D of the Family Law Act)

The Family Court Family Violence Strategy 2004  
describes family violence as covering  
'... a broad range of controlling behaviours, commonly of  
a physical, sexual and/or psychological nature, which typically  
involve fear, harm, intimidation and emotional depravation'  
(Family Court of Australia, 2004, p.3)

Eight months after her first child was born, Michele found herself pregnant with her second child.

*At this point there was no way I could find another job. You can imagine, one tiny baby, pregnant, no transport; he would take the car to work and I was quite isolated and far from child care services. Most of my family and friends were interstate. My mum lived in Townsville with my step dad but they were leasing a small business with a view to buying it and working 24 hours, seven days a week. He said he was happy to be the bread winner and me, well I had been working all my life so I thought I'd love to do the nurturing, caring for the children full time. I've always believed that to be ideal. But that's where the control came in.*

Controlling behaviour often exists side by side with other forms of intimate partner abuse. At varying points in the interview, Michele discussed behaviours of her partner that would fit definitions of domestic violence found in the Family Law Act. Such behaviour included belittling and put downs, financial abuse, isolating her from supports and refusing her input into family decision making.

*It was hard, so very hard. You know with two babies so close together I found it hard to regain my figure quickly, so that was an issue for him. With the money it was always 'if you've got a problem just leave, I can do what I want with my money'. And in many ways I just shut down, stopped speaking my truth in order to keep the relationship alive. Because at the end of the day my concern was more about where his stuff affected the children.*

The isolation of Michele from practical concerns such as shops, doctors, and pharmacies during the day was compounded by the lack of public transport.

*Because he had the car, I was expected to lug my two babies around you know, even to the chemist or the doctor if they were sick. With a reasonable person, in a safe relationship you can imagine negotiating this sort of thing. I could have said 'look the little one's sick, can I drop you to work and have the car to take her to the doctor'? But that was never possible. He wouldn't even consider it. And it got to a point where I wasn't even able to ask. Looking back, that is a cause for concern, warning bells.*

Through out her interviews, Michele preferred to discuss her strengths and opportunities for growth from each experience rather than detail specific incidents of abuse. For her, this is part of a personal commitment to protecting her girls from the full information of their father's abuse. Her story reflects this commitment and so she chose not to include more graphic examples of the drip, drip, dripping tap of emotional and verbal abuse.

Eventually after years of control and a series of difficult experiences, including infidelity, Michele developed life threatening health concerns after a red back spider bite.

*By that stage my immune system was shot. The morning after I had been bitten I woke up feeling really, really bad. Really bad. We had been to the hospital the day before and I'd been given antihistamines, but it can take 8 hours for the poison to enter your system and after that the antihistamine had masked the onset of the symptoms. Anyway, Blue was going to a weekend golf game. When I told him I was unwell and scared he just shrugged it off. He dismissed my concerns when I really knew something was wrong, I felt so ill. The upshot was I collapsed at home and was unconscious for at least twenty minutes with two little ones screaming for help. Thank god the neighbour heard, came to investigate and resuscitated me. I was dreadfully sick for months afterwards. And that was when I knew there was no turning back. I had to leave for my health and for the girls' sake.*

#### **Separating: the journey begins**

The heart of the problem for Michele in relation to the separation and divorce was her wish to return to Melbourne, to her family, friends and supports.

*It is important to make clear that I never, ever intended to remove their father from contact for good, not ever. And he knew that. I was willing to do what ever it took to maintain a relationship between the girls and their dad, that is something I've always believed in, always been committed to. After all, everything until that point had been about putting the children first. And I envisioned a truly joint care arrangement, however we could arrange it. I imagined joint parenting in two locations, with open dialogue, lots of visits, phone contact at all time, everything possible. And you have to remember until this point he had not been involved at all in the care of the children. He didn't know about nappies or medicines or asthma or their food or anything.*

The crisis that leads to leaving can be so telling. What is it that triggers the 'knowing' that this circumstance, this situation is no longer OK? All the women interviewed could point to a particular time when they knew, clearly, deeply, that staying was no longer an option.



Leaving sets in place a chain of events which may require particular energy, adrenaline and focus. The needs of children at this time, ensuring they are coping with not only the enormous life changes that physical separation brings, but the circumstances where Dad has been abusive, cruel or inappropriately angry towards Mum, leaves little time for self care.

For Michele, the challenges were compounded by the effects of the spider bite and her genuine fear that Blue would make good his threats to use whatever he could to 'get' the girls, even if this meant using her disability as a weapon. Michele has little doubt that at this point in time, Blue's motivation was to punish her, rather than a desire to spend more time with the children.

*Nothing. It seemed to me to make sense for their day to day care, which he had been clear he didn't care for, stayed with me.*

Michele spoke of the particular difficulties she faced during that time.

*For a start, he made it quite clear he would fight for whatever he wanted as long as it could take. You need to remember I had nothing. I had been out of the workforce, the sector had changed dramatically with the introduction of email, new computer programs, I was not going to return to a high paying position in the near future. The thing is, we sat together and negotiated that it would be me that stayed at home. We made that choice together based on the belief we would be together, always. It's not like the way it's made out in the media, you know, that 'well she chose to give up work'. It was a mutual decision and so it seemed even more bewildering when the Family Court processes made me the scapegoat inadvertently for a joint decision.*

*In addition I had neurological issues as a result of the red back poison so I was frightened he would go for full custody. This concerns me greatly. In effect, I had a hidden disability, one I was scared he would use against me. What does this mean for women whose disabilities are not so hidden? What must they go through? The worst thing was I knew he was doing it to spite me, because he was angry at me. It had very little to do with the children at all.*

As the two parties began negotiations in the Family Court the events of 1998 had a particular impact.

*Just prior to appearing before the Court a man in Townsville, quite well known, committed suicide apparently due to access and custody issues. The Courts were being picketed by the Men's Rights Groups and everyone agreed it was bad, bad timing to be appearing as a woman, requesting a move interstate.*

Blue requested Michele be ordered to remain in Townsville until the youngest child turned 18 years of age. Regardless of attempts at mediation this remained an unshakable part of Blue's Parenting Agreement. The Court supported this request.

### Challenges along the way

In addition to the poor timing, Michele was navigating the familiar financial barriers to legal advice faced by women in the Family Court. Even those fortunate, like Michele, to be granted Legal Aid find the requirements to settle quickly over-ride the principle of a fair and equitable trial.

*I was granted Legal Aid but I didn't realize you were only given the opportunity to challenge the Court outcome three times then you were on your own. I was told either I accept the Court ruling or I would be forced to defend myself. And I couldn't. Couldn't accept a ruling that didn't make sense. I wasn't saying he wouldn't have contact, I was willing to put in writing whatever was needed to ensure the relationship was maintained. But I didn't realize that anything said in mediation wasn't admissible so all that evidence that I had tried to compromise and all the times he had rejected every reasonable offer, all that was inadmissible. I was made to look like a vindictive woman. And I felt like my kids were held to ransom by the fact he had money, his parents had money and I had none. He knew he could afford to keep going with his lawyer till I has nothing left. So in the end, yes I represented myself.*

The experience of self-representation was not a positive one for Michele.

*I actually had no idea half the time what they were referring to. I mean what does MA1254 of the statutory... etc etc mean anyway? And they were not forgiving or flexible around that. I was told I had been funded for enough time with Legal Aid to have had my chance to know my way around the legislation. I'm not kidding! They obviously don't know how Legal Aid works in practice!*

*The power would swing his way because it was all about his rights to access and nothing to do with the children's safety, the children's supports or my safety, my supports. The drugs also were not taken into account by the Courts and I just couldn't understand that one. And again it was really about him needing to exercise his power, to punish me for daring to leave. It's like he was never prepared to accept responsibility, not at all. Never acknowledged that where we ended up was a result of his own behaviour. I guess that is also pretty typical of domestic violence.*

It is actually a challenge to seek meaningful data about decisions made in the Family Court due to important privacy principles. For this reason, it has been difficult to counter the myth (often stated) that women will move far away from their former partners, thus creating additional barriers for fathers to have contact with children.

Anecdotal information from the agencies in Townsville participating in the *Seeking Safety, Needing Support* research and certainly the experiences of the women interviewed, suggest otherwise. In Townsville it is more likely that women will be ordered to remain within easy commuting distance of Townsville.

All eight women who sought to relocate to be closer to family supports were ordered to remain within 60 kilometers of Townville. This is despite the transient population of Townsville, with Army and Air Force bases posting families for periods of up to three years.

These women and their children are expected to remain in North Queensland whilst no such provisions are placed on their former partners.

Michele's challenges with negotiating values and practices for parenting are shared by many separating parents. The strategies of power and control used by an abusive partner can make the situation more fraught. The Family Court assumes both parents are acting in good faith and can negotiate on an even footing.

After exhausting all avenues, Michele was forced to accept the Family Court ruling that she stay in Townsville. Her former husband however has no such ruling. He may relocate at any time he wishes.

*If I live 20 kilometers out of town he can in theory lay kidnapping charges and he has threatened to do so in the past. At one point he told me he had rung the Court to inquire about the penalty for breach of contact and he informed me it can be up to a \$6,000 fine or even a custodial sentence! That was when he warned me not to even go to Paluma (a popular swimming hole) without his permission! I couldn't take the girls to visit my brother in Cairns without his say so. The hardest time was when I wanted to take the children to visit my grandparents, my grandmother was dying. I had a return ticket booked but no, that wasn't good enough. I was warned it would be a Federal offence.*

Over the past 7 years Blue has had contact on Tuesday nights, every second weekend (Friday and Saturday nights) and half of school holidays. Michele says that these days have been flexible for his needs but never for the children's or her needs. If Blue had other plans for the Tuesday night or weekend, Michele was expected (and willing) to negotiate an alternative contact time. Her flexibility was never returned, even if her request for a change in contact was because of a child's illness or other commitment.

*There were times it was heartbreaking, putting a little one with a middle ear infection in the car, dragging sick children out of bed because he couldn't accept a change in day. That was when it was really brought home to me that this wasn't about fairness, it wasn't about the children. In a safe relationship you could at least say, hey, the children are not well, can we find another time or day for the visit. But no, that was never acceptable. Unless it was his choice, or they interfered with his plans of course.*

The parenting arrangements were fraught, particularly during the first few years. There was no safe ground for agreeing to common values, routines or boundaries with the children, and Michele described working overtime to find ways to communicate in sensitive, non-judgmental ways the parenting strategies that were working for her.

*The trouble was he had never cared for the babies, so he just didn't know what to do. There were some areas of real concern I had no power over and it really distressed me. Things like a male friend of his who was dealing in marijuana, other little girls thought he was creepy. There was no evidence of anything, just a gut instinct of mistrust. If I was still at home I could protect them. Or our different understanding of age appropriate responsibilities for children. So many incidents. ... the follow up after asthma attacks, for example. He was not malicious, he just had no idea. And the Family Court is responsible for placing our children with someone who just didn't know what to do and wasn't going to ask me how.*

As the children grow older, Michele says her distress about their physical safety in the care of the father has lessened. The girls are now able to care for each other and remind their Dad of medication requirements. This doesn't compensate for the many years of angst.

#### Envisioning difference in the Family Court...

Reflecting on her journey with the Family Court processes and decisions, Michele suggested a number of areas that could be improved for women, particularly those who have experienced domestic violence. The first was that information and advice available early on, free of charge, about legal rights and options and their subsequent limitations

*I didn't know where to begin. My mum was near by but I didn't want to distress her or worry her with what I was going through. She and my step father were having a hard time with the business. I certainly hadn't mentioned what was going on at home, it was just all too hard to describe and I was confused and tired and overwhelmed and finally, very sick as well. Blue, meanwhile, he had his parents and a very expensive lawyer to guide him through the mazes and minefields. He didn't seem as concerned about not worrying his family.*

Michele's second suggestion was that someone be available to explain the Legal Aid processes.

*If I had known my time with Legal Aid was limited in the way it was I may have made other decisions about how to use my time with the solicitor.*

Unfortunately the fear that each woman experiences when she has lived with abuse creates an awful atmosphere for decision-making: she is at all times aware of his potential for cruelty and violence. This places women who are victims of violence in an extremely difficult position when facing with parenting apart.

Despite all best wishes, each 'discussion' with the father of the children occurs within a context of actual distress: what will his reaction be? Will I be hurt again? Will my children be punished for my questions?

Women are more likely to be the primary carers of children, whether partnered or not (David de Vaus, 2004; Human Rights and Equal Opportunities Commission [HREOC], 2005).

The paid workforce is only beginning to respond to the needs of parents in relation to holidays, illnesses and school hours (Karen Wilson, Jocelyn Pech & Kylee Bates, 1999; Anne Summers, 2003).

Child care is unavailable and unaffordable for many women, particularly in rural and remote areas (Australian Council of Trade Unions [ACTU], 2003; Australian Bureau of Statistics [ABS], 2002b).

Those women who are able to meet the requirements of the paid workforce are more likely to be in part time and casual positions (Commerce Queensland, 2004).

Despite equal opportunity legislation, women continue to be paid less than men in similar employment circumstances (Stephen Rose & Heidi Hartmann, 2004).

Women are less likely to be in positions of senior management and less likely to be in the top income bracket regardless of qualifications and length of work history (UNPAC, 2005).

Michele's third suggestion addresses the barriers for some as a result of financial discrepancies.

*Structures need to ensure that everyone has access to legal representation, otherwise its one law for rich, another for the poor. And then it's no longer about the children It actually becomes about who has enough money to grind the other into the ground, until they are forced to agree to conditions that may not be in the best interest of the child..*

For Michele, it is clear which gender is likely to have greater access to financial assets and/or resources for legal representation.

*Realistically, if you are in the Family Court about an inability to compromise over contact arrangements, the children are going to be under 15 years of age. After that, obviously where the children really want to be holds greater weight. So if the children are under, say, 15, it is more likely that it has been Mum that took two or three years at least out of the paid work force to care for the child or children. That period of time can change your earning potential for a long time.*

*Once women have children, employers assume it is the Mum who will take care of sick children or be available during school holidays. How often are men asked in job interviews about their child care arrangements? Yet how many times are women asked as a matter of course?*

*In Australia many families make a mutual decision about this on the understanding that, in Australia, despite equal opportunity legislation, men are still more likely to earn higher income than women. And many women like myself are happy to sacrifice a career for motherhood. However, when it comes to the Family Court it is as if we are punished for choosing full time caring of our children.*

*Those who are employed - the men- are usually able to access and finance a loan. Which institution is going to finance a lone to a single mum who has been out of the workforce, has*

*two young children, no transport and no fall back carer if the children are sick?  
If we can't finance a loan, then there are no funds for legal representation. And it is inequitable for the person with better access to financial means to get the outcome they want, simply because they can afford a lawyer and the other person cannot.*

*Please, can there be an argument about restoring Legal Aid funding to previous levels? Could there be a team of solicitors available free of charge, specifically for women who have been abused? If they have endured so much, surely this is one small way equity could be restored?*

Despite the challenges Michele has faced, she remains a vibrant, passionate woman with an interest in eastern philosophies, natural healing and social justice. Through out the conversations that shaped the documentation of her story, Michele was respectful in the descriptions of her children's father and his actions. Her response when this was noted?

*At the end of the day, what really matters is my girls' feelings. I would never do anything to hurt my girls. And they love their Dad. I just want them to be safe. It is all as simple as that.*

*My main issue was the injustice.  
The outcome shouldn't be based on who has the most money. It is supposed to be the best interests of the child....  
'Don't take it personally'  
he told me during mediation,  
'its just business'.  
Well for me,  
my children were never 'just business'.*



## 9 Sharon (42)

*Sharon and Blue were together for 23 years prior to their separation. When asked to describe the early years of the relationship, Sharon says they were happy times. She and Blue shared similar values and beliefs and they were each committed to the relationship. Despite this, the relationship began to change. By the time the children were born things became increasingly difficult.*

*"I just want to be peaceful  
and centred"*

### The family before separation

Sharon and Blue were together for 23 years prior to their separation. When asked to describe the early years of the relationship, Sharon says they were happy times. She and Blue shared similar values and beliefs and they were each committed to the relationship. Despite this, the relationship began to change. By the time the children were born, Sharon said, things became increasingly difficult.

*It was like he didn't have a lot of time for the kids, you know? I was the one, and I did it happily mind you, that cooked for them, cared for them, took them to the doctor, the dentist... He wasn't big on being the responsible one.*

*He did very little parenting of the kids, was not around much at all. He was either away or watching telly or at the casino.*

When Sharon begins to describe the years before separating her voice becomes even quieter.

*It wasn't so much that he was violent to me. There were two, um, incidents, um... but it was more the boys. He would just, you know, lay into them. Scream at them. Put them down... Yes, he would put me down too but that didn't... it wasn't as big a deal. I was worried more for the kids, you know?*

*I would be somewhere they would ring me up and say 'you need to get home now'. He would be going off at them and they were genuinely afraid of him, what he would do... Saying things like 'You're a bunch of worthless little pricks and you don't deserve a house to live in' or driving in the car doing burn outs and saying 'I'm gonna wipe out this car with all of yous in it'.*

Financially, Sharon and Blue kept their incomes separate. After her father died leaving an amount of money to her in his will, Sharon purchased the house on acreage where she still lives. It was Sharon who financially supported the family and paid for the children's requirements. Blue's income was kept for his own purposes.



*I was the one who paid for their clothes, their shoes, their food, their school requirements, everything. His money was for him. He could use it for drink, casino, whatever. The few times he did get the groceries it was to buy chips, lollies, soft drink, you know, nothing nutritious or healthy. I'm not paying out on him; that was just the way it was. I let it go.*

*The only time Blue brought my eldest son a pair of shoes was last year when...my eldest son wanted to do basketball again and he did a big spit so I said no he's not doing basketball so Blue went out and brought him a pair of basketball shoes. By that stage we were not living in the same room so things were messy and that's the first time he ever bought shoes. Never bought him any piece of clothing in 13 years.*

Other information given during the interview provide a glimpse into the relationship dynamics. Sharon spoke of how she came to place a mortgage on her house to provide Blue's daughter (from a previous relationship) with financial backing for the purchase of a property. The daughter returned the \$120,000 and before Sharon was aware of it, Blue had withdrawn the money, refusing to pay back the mortgage.

And yet Sharon is clear that the money was the least of the issues. When many attempts at discussing Blue's behaviour towards the children proved fruitless, Sharon told Blue she wanted to separate. He refused to leave the house. Sharon moved into a separate room; the tension and abuse from Blue towards the children and herself continued.

*...it was strange though, on one hand he wanted nothing to do with the kids and treated them like trash, and on the other he was yelling at me that he would get the kids, if nothing else. He knew that would break me.*

After a particularly difficult period Sharon spoke to a solicitor. A legal letter was drafted advising Blue to move out of Sharon's home. Blue ignored it and instead sat the three children down and told them their mother was trying to get rid of him, that she would 'throw him out on the street.'

*Blue ... sat the three children down and told them their mother was trying to get rid of him, that she would 'throw him out on the street.'*

*What happened on a Friday was my son came back and said 'Dad's coming over on Sunday he's gonna take the fridge and freezer'. At this stage he had taken every chair in the house, every table in the house, I wouldn't let him take the beds. You know, he took tools, a big boat that was here, TV and video.....I didn't even have a sheet set on me.*

*This gets me, you know; I have done everything to ensure the kids' relationship with their father is not affected by me. Don't drag the kids into it, you know? They're the innocent ones.*

Blue eventually left Sharon's residence and rented a house in a suburb in Townsville where the children used to live, close to their friends. After the separation, Blue would simply return to Sharon's home and take belongings. All chairs & tables in the house were removed. On one occasion, Sharon left the house with her daughter after being warned by her son that Blue was on his way over in a 'filthy mood'. When they returned Blue had taken all the sheets and pillow cases off the beds in the house. Interestingly, Sharon was told by her children that Blue had bought all new belongings for his new house; the property he had removed was never seen again. Sharon suspects he gave the belongings to his eldest son, from a previous relationship.

*He's done it really well, put a lot of thought into it. He would come with a big trailer every couple of days and a handful of friends and they would just take stuff and take stuff and take stuff.*

The situation eventually came to a head.

*What happened on a Friday was my son came back and said 'Dad's coming over on Sunday he's gonna take the fridge and freezer'. At this stage he had taken every chair in the house, every table in the house, I wouldn't let him take the beds. You know, he took tools, a big boat that was here, TV and video.....I didn't even have a sheet set on me.*

*Well when he arrived on the Sunday I had the police here. He had a heap of people with him. I'd gathered everything up got it ready for him to take. But he wanted the fridge and the freezer. The police told him not to take anything else.*

*I got a mouth full of abuse. He picked up the bar stool and pushed me with it.*

*The worst thing was, when we went to Court for the DV protection order, he turned up with our 13 year old son to testify against me. My son wasn't even there to witness the event.*

*To me, that's mental abuse. I don't care what. What goes on between parents is nothing to do with the children.*

When Blue moved out of Sharon's home discussion about the children's contact with their father was difficult.

*When he was leaving he said 'go and get your solicitor cause I want 50/50 of the kids'. Blunt to me. Yeah. To tell you the truth, I was supportive of the kids seeing their father and originally it was planned that they could have a week with each of us, fifty-fifty, you know. I have never, ever wanted to stop the kids seeing their dad.*

At first the children moved between the two houses quite freely. Blue's house in the city provided quite a contrast to the rural block of land of Sharon's home. Blue provided the three children with TV and DVD in each bed room, the eldest having his own separate living area and entrance to the house.

The children spoke to Sharon about the freedom at their dad's house from the usual rules and expectations. Curfews were not enforced and the children were allowed to come and go as they pleased. Sharon was concerned that for the younger children in particular this represented a risk; living rurally there had been no need to develop road and traffic safety skills and the small community around their mother's home acted like an extended support and communication network for the children.

*I have never, ever wanted to stop the kids seeing their dad.*

For Sharon, one of the larger worries related to the impact on the children of a life with access to many resources and no limitations.

*I mean, fair enough, it's good that for once in his life he was giving the kids something. It was just sad that he wasn't giving them love, he was giving them things you know? And they're only kids. The eldest is only 13. What's a thirteen year old gonna do?*

Sharon, then, took on the role of the disciplinarian and boundary setter.

*After listening the solicitor agreed, yeah,  
and said  
'do you want to apply for a urgent order?'  
I said yep.  
Then they told me it will take about 6  
weeks to come thru.  
When you're looking at 6 weeks with two  
boys that aren't with you,  
that aren't safe, it's a long time.*

*I had to file with the Courts because he refused  
to return the children. But what I didn't realize  
was that he could delay responding until the  
last possible moment; and so by that stage it is  
too late to refute. I would be advising everyone,  
get your affidavits in, have character witnesses  
prepared, think about the worst he can say  
about you. And then make sure you can counter  
it immediately.*

*From Seeking Safety, Needing Support: a report on support  
requirements for women experiencing domestic violence and accessing  
the Family Court.*

*It was fraught, hey. The kids were being pumped full of stuff about what a bitch I was, how mean I was. Even though my son knew for a long time that Blue and I weren't getting along and he (the son) had said to me kick him (Blue) out... 'if somebody treated me in my house the way that dad treated you I would have beaten the crap out of him and thrown him out on the street'. Then it all changed. I see him and I just see a very sad, angry, lonely little boy.*

*By the time their dad had finished with them I was the bad guy. Emotionally Blue has done the boy over. See, that's where we're different. I would never drag the kids into it, put down their father because they're kids, they need to know their father loves them just like they need to know their mother loves them. But he (Blue) didn't care about the effect on the kids, ay?*

One morning the two eldest children did not return from an overnight stay with their father. Blue stated the boys didn't want to come back to live with Sharon. They were going to live with him permanently. It would be five months before Sharon had the children back with her again.

#### **The Family Court interaction begins**

*I was desperate. Went to a solicitor... I said (to the solicitor) I wanted my boys back, they're not safe where they are, they're not being well looked after, he's not a responsible person. After listening the solicitor agreed, yeah, and said 'do you want to apply for a urgent order?' I said yep. Then they told me it will take about 6 weeks to come thru. When you're looking at 6 weeks with two boys that aren't with you, that aren't safe, it's a long time.*

*So we prepared for hearing. Spent hours getting the documents together. Pages and pages, now I know, most of it probably worthless. But he (Blue) didn't respond to it till the last possible moment. I didn't know he could do that. And then there wasn't time to actually challenge what he had to say.*

In his response to Sharon's application to the Family Court, Blue claimed that Sharon was an alcoholic (she drinks less than once a month and has been intoxicated maybe 3 times in the past ten years); and stated she was highly abusive and a risk to the children due to martial arts training (A lightly built, 160 cm woman, Sharon gave up self defense classes 15 years ago). Blue's counter application proposed Sharon to have contact on alternate weekends and half school holidays.

Because there was no time to get affidavits countering the claims it was strongly suggested to Sharon that she agree to all conditions. Her solicitor advised that if she proceeded to the interim hearing it would be unlikely that she receive better conditions.

*I'm there with his solicitor & mine, and because you're there and your name's being called out and she's (the solicitor) saying 'look you're probably not going to get any better than this...' you really get railroaded and don't get time to think and um basically its 'ur ur ur ur... Ok'*

*I couldn't believe it. He could lie outright and get away with it.... The irony is I have kicked him out for the safety of my children and the irony is they are with him now.*

Left with little choice Sharon agreed to all conditions. One of the agreements included mandated counseling for Sharon and her children. Sharon said she was glad this had been included and hoped this would go some of the way to repairing the relationship between herself and the children.

#### **Counselling begun at first with the Family Court Mediation Service.**

Blue however, refused to allow the counseling to continue. He had insisted the children be seen by the Family Court Mediation counsellor together. When the eldest child was seen individually Blue stated in no uncertain terms that the children would not be accessing the mediation service again.

*At this point the mediator said 'I am not going to see him (Blue) again'. She could see what he was like, how angry he was. And yet nothing was done about it. The Court orders counselling, he spits his dummy and refuses to allow the kids to go and nothing gets done. Weird, isn't it?*

Sharon found counseling alternatives at Lifeline for herself and the children and the healing process began. She speaks highly of the skilled counselor they accessed there, a woman who works part time in both the Family Court Mediation Service and in Lifeline.

*She was real good, real good. The counseling was a good thing for them, especially for the boys. They can express themselves any way they want when their parents are not around. I just wanted them to be OK. If it meant they were safe then that was my focus.*

*The irony is I have kicked him out for the safety of my children and the irony is they are with him now.*

*Needless to say last time (the eldest child) and I had mediation he sat there and cried the whole time; it breaks my heart, it really does....*

Family Court parenting agreements can be by material raised in mediation, if the agreement is settled before it (finally) comes before the Judge.. In the case of Family Court negotiations the best interests of the child may be obscured by one individual seeking to control the situation and another too intimidated to challenge the information upon which the decision is based

In Sharon's case, she had tried to remain truthful, respectful and fair towards Blue. She was shocked and frustrated that this appeared to work against her. For Sharon, it had been important to offer her children an alternative to the vindictive and dishonest tactics of their father. Sharon said she would never speak negatively of Blue in front of the children, but she hopes her actions provide a different role model.

*And I mean emotionally safe too. I couldn't begin to understand what he has told those kids and why they feel they have to stay with him.*

Through counseling Sharon came to the decision not to continue in the Family Court for the sake of the children. The youngest by this stage was choosing to stay with her mother. The older boy had stayed with his father and was not speaking to his mum at all. Sharon described him as distressed, angry, guilty and sad. The children were told they could decide who they would prefer to live with and were reassured that Sharon would love them regardless of their decision.

*Needless to say last time (the eldest child) and I had mediation he sat there and cried the whole time; it breaks my heart, it really does....*

The day after counseling Sharon helped the middle child, who had been moving backwards and forwards between both parents, move to Blue's house. The next day he rang her 5 times. The following day he returned home. Some months later Sharon's eldest child also returned home after Blue had thrown him out two other times.

*The last time he had his stuff packed and his dad was trying to physically grab him to punch him.*

#### Thoughts on her experience

It seems the Family Court can unintentionally support the parent most willing to say or do what it takes to receive their preferred outcome. It could be argued that the Family Court/Adversarial system doesn't fit with the usual socialization of women to be thoughtful, considerate, kind, and care-takers.

*I'm a pretty peaceful person. I'm not a fighter...but that doesn't work when you're not in the legal system. It doesn't pay to be a good guy. Biggest thing was I have never been angry enough to achieve anything in the Family Court, my biggest fault was not being angry enough.*

Although the media supports notions of 'vindictive women weaving lies' in 'order to prevent fathers from access to their children' this was certainly not the case for Sharon.

*From the start, my whole focus has been on doing the right thing by the kids. I just want them safe, that's all. I was happy for 50-50 as long as they could always come home if their dad was going off. And at the end of the day that has been what's happened. He's lost it with them one at a time until now, they are finally home with me. By their choice.*

#### Finding the way around the system

*I was lucky, you know, I had a friend who was going through a separation and she knew where to go. I ended up ringing up legal services then the Women's Centre. I ended up just going to a solicitor.*

*My friend could tell me where to go, what were the short cuts. For most probably it would be much harder.*

#### The Legal Processes

*The whole thing cost me absolutely heaps in solicitor's fees, all up \$20,000 cause I kept ringing up and taking information in and of course every time it costs you a fortune and it achieved nothing. Basically, you're expected to do it yourself, the hard yards. I kept taking in and taking in information but that proved absolutely useless; it was a waste of time. Every spare cent I had and at the end of the day he just delayed his reply, told a heap of lies and got away with it. Yeah, what a waste.*

#### A Support Worker

*I like the idea of a support worker. Because really, the focus shouldn't be on the parents it should be on how the child can get the safest outcome. And if one parent knows the system and the other doesn't then the decision is made on the wrong information.*

*You need to have a support worker to go with you to your solicitor and then put it in lay mans language. I asked a lot of questions but because I do that takes a lot more time so costs a lot more money.*

Dr. Michael Flood has prepared Fact Sheets to counter the myth of women's false accusations of domestic violence and misuse of protection orders & the myths that women make false allegations of child abuse to gain an advantage in Family Law proceedings (2005a & 2005b)).

He demonstrates that, in fact,

\* the risk of domestic violence increases at the time of separation (ABS, 1996, p.8; DeKeseredy, Rogness & Schwartz, 2004)

\* women living with domestic violence often do not take out protection orders and do so only as a last resort (Judicial Commission of NSW, 1999; Melville & Hunter, 2001; Young, Byles & Dobson, 2000; Simpson, 2000)

\* Allegations of child abuse are rare, false allegations are rare, and in fact, false allegations are made by men and women at equal rates (Brown, 2003, Hume, 1996, Young, 1998)

\* Child abuse often takes place in families where there is also domestic violence (Brown, 2003, Hume, 1996, Young, 1998)

\* Allegations of child abuse rarely result in the denial of parental contact (Young, 1998; Hay, 2003; McInnes, 2003)



*A support worker could be kind of letting you know that's normal and it's OK and just be someone to wait with you.*



*I got shunted for two reasons. I'm pretty sure Blue's solicitors didn't put his stuff in on time at last minute, so you need a support worker to tell you this may happen, have character witnesses to ready and stuff so when you go to court.*

*A support worker could go with you and help you how to get character witnesses together so you can say to the solicitor 'here's my character witnesses now I'm not dealing, show them to the judge'. And that way you've over marked the solicitor but the evidence is there. Need a support worker to tell you not to get railroaded.*

*I had no idea Blue was going to ask for me to have every second weekend and half of holidays and that I was going to be called a child bashing alcoholic at the last minute, at the very last minute when we were on the doorstep and our name was being called. I had no idea.*

*A support worker could tell you what can happen. Worst case scenarios. My solicitor, if she knew he was gonna do this, then she didn't plan for it.*

*And somebody just to be with you while courts going on cause my solicitor would say you just stay there and then go over and pow wow with his solicitor and I'm left standing there out in the open wondering what's she gonna do. A support worker could be kind of letting you know that's normal and it's OK and just be someone to wait with you.*

*This Support Worker has to have a lot of knowledge!*

#### **Surviving & thriving**

Through the challenges of the past year, Sharon has managed to come through it with her sense of self intact.

*Well, my friend stood by me big time and reminded me I am a good mum, a good person. Besides, there is no way I would give him the satisfaction of him seeing me that far down.*

#### **Her advice for other women in the same situation?**

*If you find you aren't coping very well go and see a counselor. Don't sit at home and boil it all up in yourself. Most of them are angry men and would like nothing more than to think you've lost the plot: don't give them the satisfaction.*

Sharon continues to live in her home and has all three children residing with her. She is passionate about protecting the children's interest in the Family Court and concerned by the experiences she has lived through.

*I'll say it again, they really need to have a long hard look at the two people in front of them and check out the way they interact with others. If Blue could intimidate a Family Court Mediator what chance did two boys have? The children's safety needs to be number one.*

In the months since her first interview with the Project Worker, Sharon has returned to her place of peacefulness and calm. For her, the end of the Family Court Dramas and the return of her children have brought a sense of relief.

For many women however, it is only after the Court processes are behind them that other emotions find the space to well up...

For many women find the practicalities of caring for their children absorbs the majority of their time and focus. Their personal grieving has to be put on hold during the weeks and months of Family Court hearings. It is not uncommon for women to find that a few months later, when the crisis has begun to shift, that they are hit with waves of emotion, exhaustion and sorrow.

It is at this point some women find nurturing and understanding from domestic violence support groups, individual counselors or alternative therapies.

For more information about referral points for meaningful support, see the Referral Directory at the end of this book

*But it does need to be about more than the individual. We're not saying she needs to get fixed. We're saying the system needs to support everyone, including the most vulnerable. The risk would be if a support service was staffed by people who thought we all just needed a pat on the head, a nice cup of tea and soothing music. Hello! That's not what I want!*

*From Seeking Safety, Needing Support: a report on support requirements for women experiencing domestic violence and accessing the Family Court.*

## 10 Sue Ellen (32)

*Sue Ellen and her former husband 'Blue' have four children now aged 9, 7 and 5 year old twins. Sue Ellen is second generation Greek-Australian; Blue's family also has some Greek heritage from one of the four grandparents. In years since they separated, Sue Ellen has met and married her second husband, Green.*

### About the family

Sue Ellen and her former husband 'Blue' have four children now aged 9, 7 and 5 year old twins. Sue Ellen is second generation Greek-Australian; Blue's family also has some Greek heritage from one of the four grandparents. During their eleven year relationship Sue Ellen and Blue ran their own building company, blending her people skills & book keeping knowledge with his building experience.

In the time since the separation three years ago Sue Ellen has cared for the children and found part time work. She has met and married Green, a man she describes as her 'soft hearted bear'. Sue Ellen describes the family as middleclass. According to the Australian Tax Department records, Blue has not earned an income since the separation. He recently conceded to the Family Court that he is receiving rent on the property that used to be the marital home. Blue now lives in a house owned by his parents. He has not paid any substantial Child Support and the Child Support Agency recently ruled that it would place Blue in financial hardship if he were required to pay back support for the amount owing.

Despite this, Blue has found financial resources to return Sue Ellen to the Family Court four times since the Parenting Agreement was signed off in June 2004. The Family Court Saga continues.

### The Family before separation.

Sue Ellen and Blue met when she was 19 and he was 22. They connected almost immediately.

*He was an absolute charmer, a real Romeo. I think I was swept off my feet. I've often wondered how on earth my life could end up this way, how something like this could happen to me. I'm so good with people usually, how was it I didn't see? But in hindsight I guess there were clues. Any way, he could be so lovely and then if he didn't get his own way it would begin with the sulks. Not happy. And we would all have to know about it. He was moody. And if he got angry then look out. But it all happened little by little over time.*

*If he had been this way from the start I would never, never have married him.*

Blue and Sue Ellen had difficulties conceiving and the additional medical interventions required to add to their family added extra pressure. The first two sons were followed by twins, a little boy and girl. By this stage the relationship had deteriorated significantly.

*In reality he could never handle the children. It was my responsibility in his eyes to do everything and he demanded his needs come first. You know it was expected that he would go away regularly for the whole weekend fishing while I was left with four children, two of them babies. My friends used to comment that I was like a single mother already. And I guess it was true.*

By this stage though, Blue's behaviour included a pattern of tactics that were deeply concerning.

*His anger was truly frightening. I thought at times he was actually quite crazy. He never actually hit me but he smashed things, threw a knife, would stand over me just screaming, telling me I was stupid or it was all just in my head. Although I thought it was normal back then, he was verbally abusive.*

*I became really, really good at making excuses for him not being at family dinners and gatherings, you know? We are a big Greek family and those things are important to me. I want my children to be a part of a healthy, normal family. But Blue hated it. And would carry on or sulk or pick fights. It was easier not to take him.*

And for Sue Ellen too, the violent behaviour included repeated sexual assaults.

*The sex issue. It was so hard to talk about. I was so unsure about what to do. If he wanted it, he had to have it. I would be saying to him, 'no, I don't want to, please, don't do this'. I can remember crying and just telling him to stop and asking him what kind of person he has become, to have sex with someone that doesn't even want to. Towards the end he didn't care. No problem.*

Sue Ellen speaks of living in a fog of distress, fear and hyper vigilance.

*I look back now and think why didn't I leave earlier? But it's hard to explain.*

Sexual violence between couples is not simply a 'miscommunication' or a case of different libidos. There is something insidious about a man's willingness to ignore the feelings of the woman he is having sex with. Partnerships and love involve negotiation, nurture and trust, none of which is present in forced sex.

If you are experiencing unsafe or unwanted sexual contact or sexualised behaviour in your relationships, please contact one of the sexual assault services in the referral directory at the end of this book. They are confidential, skilled and aware of the particular issues of assault in relationships.

By now Sue Ellen's experience is sounding so familiar... the difficulties faced by women in relationships that are characterised by power and control include a particular sense of exhaustion. In the midst of the fog of tiredness, and for Sue Ellen, depression, is her longing for a return of the gorgeous man she fell in love with.

*I was overwhelmed. I had four little kids, I had wanted a family all my life and now it was all a nightmare. I suffered from depression and I had to make sure before he got home every night that everything was perfect or he would just go off. And it was unpredictable what he would pick on next. It wasn't as if I was just at home either, although that would have been enough.*

*I was the other half of the business, answering phones, BAS statements, book keeping, picking up supplies in the middle of the day dragging toddlers with me in the car upsetting their routine. Looking back there was no time or energy to think about what I was going to do, I just kept hoping it would work out. That somehow he would go back to the man I married. Later on I prayed he would realize how unwell he was and then get help. Because I really believed he was mentally unstable.*

After a serious accident in which she almost lost her eyesight Sue Ellen was forced to stay in hospital for a couple of days. With no visit from Blue during that time, Sue Ellen had the opportunity to reflect on the situation in which she found herself. After she was discharged Sue Ellen took the children with her and went and stayed with her mother. She suffered a breakdown during this time. Eventually, Sue Ellen returned to the family home.

*I said to Mum, 'No, this is my marriage. I need to do something about it and get the children home'. It had been my choice to get married and you know there was a part of me that believed I just needed to work harder, to make it better.*

After this, the situation worsened. The sexual assaults increased. The anger was present most days. Sue Ellen asked him repeatedly to come with her and get some help but Blue said he didn't have a problem; she was the problem.

*He would say 'If you just kept your mouth shut and your legs open there wouldn't be a problem'... he was like a ticking time bomb and I was just so scared.*

After a disastrous Christmas, Sue Ellen was left alone with the children while Blue went to Airlie Beach. He returned home at a time when Sue Ellen and the children were visiting the neighbours. Taking a deep breath, Sue Ellen went home to see how Blue's mood was after time away from the family.

*I remember walking into the lounge and he was pacing, pacing, pacing. The kids were with me, excited about seeing their daddy. He started off my asking me what was going on? Was I going to be one of those single bitches I work with? At that point, looking at him I knew it was over. I said as calmly as I could... I still don't know how I got the words out... 'I can't do this any more. You need help. I'm prepared to help you get help but the marriage is finished'.*

*He stomped the ground and said 'If you don't get out of here now I'm really going to hurt you'. So with that I grabbed the kids and what I needed and walked next door to the neighbours. The house stayed quiet and I could feel him stewing inside. I was just so scared. So scared. So at 5 o'clock I went back there. I left the children with the neighbour and went back inside.*

Entering the house, Sue Ellen went to the bathroom. When she came out Blue was standing with his arm across the doorway.

*At that point I knew this was not good. He said to me calmly and coldly 'You have 10 minutes to get your shit and get out of here'. I don't know what came over me, but something inside me snapped. I thought of the children, I thought of what my mother, father and my sister had said and taking a deep breath I told him 'hey, this is your children's house. Why don't you leave? You leave'. He stormed into the lounge room saying 'now you have 9 minutes, get your shit and don't come back'. When I said again 'this is our children's house, you leave', he turned and came at me.*

Picking Sue Ellen up by the shoulders, Blue threw her against the door yelling that she'd lost her last chance. He forced her out the door and down the back steps. When he saw Sue Ellen heading back towards the neighbours, Blue grabbed her and started dragging her back towards the house. By this time Sue Ellen was crying out for help, telling him she was hurting. Their neighbour jumped the back fence, rescuing Sue Ellen when Blue finally let her go.

*Had it not been for the neighbour, I don't know what would have happened but he finally let me go. I stood there shaking, arms aching, I couldn't stop crying. I kept saying 'this doesn't happen to good people'. My neighbour was hysterical herself and insisted on calling the police.*

Despite the physicality of Blue's response, Sue Ellen still struggled to use the term 'domestic violence'. This is an example of how tactics of violence and abuse can slowly creep up over time, how controlling behaviour and verbal abuse can slide into actions such as property damage, punching holes in the wall, grabbing her and shaking her, twisting her arm behind her back...

The physical acts of rage serve to leave an unspoken threat of harm, a reminder of an uncontrollable anger that may be vented at any time in scary ways. And for women, almost always physically smaller than their partners, the knowledge that next it might be them can seem so real...

Townsville is fortunate to be the centre for a co-ordinated response to domestic violence through the police, the courts and domestic violence services. The North Queensland Domestic Violence Service (NQDVRS) offers assistance with preparation of DV Protection Orders, and has workers available in the Magistrate's Court for the emotional and practical support many victims require.

The police work closely with NQDVRS and other services through a network known as Dovetail. For women who are victims of domestic violence, the change over time in their experience with police has been affirming of the work of all involved.

*Even at that stage I was protecting him, or maybe protecting us? I don't know. I wanted to call my sister, the social worker, first. But she wasn't home. My neighbours insisted things had gone too far. So the police were finally called.*

Fortunately, Sue Ellen's contact with the police was a positive one. She has nothing but praise for the action of the police officers and the local DV Liaison Officers. The processes required for action to be taken however were far from easy.

*I know people think getting a protection order is really easy, I hear people all the time talking about vindictive women and how easy it is for them to get a DVO out of spite. But I would never, ever call this easy. The interview process took hours. And I was already so shaken so shocked at what had happened. My husband had manhandled me down the stairs, he had hurt me and he was out of control. I was genuinely scared for my life. I mean, look at me (Sue Ellen is a tiny 156 c.m. and a small build) and then think of him, his size, his physical trade. My god.*

*Anyway, the statement, in the midst of all that shock, went on for hours. They were asking me about our life, about what led up to the incident. And they were very understanding of how, how... how embarrassed I was. Um. So embarrassing telling all this to a stranger, things I hadn't told anyone, not even my sister. They actually wanted to charge him with rape, but I simply couldn't deal with it, I couldn't go there. In my head I couldn't imagine how I would cope and what everyone would say. Looking back, when I think of what he would force me to do, yes, I can see it was rape. But at the time it was one too many horrible discoveries to deal with.*

Sue Ellen and her children went to stay with her parents. Within a day her partner was calling to apologise and offering to talk it out. With her sister offering to mediate it was agreed that Sue Ellen would return home and Blue would stay temporarily with Sue Ellen's older brother. Sue Ellen was concerned about the impact on her brother and his wife who was heavily pregnant at the time. Her brother however had said that he wanted to be able to keep an eye on Blue, given how unstable his moods were.



*Well, you can imagine my guilt, there was my family once again looking after this person I had married. And Blue never gave up. He rang and cried and rang and pleaded. He would tell me he was going to drive into a telephone pole. Next time it would be emotional blackmail about the kids. Three times a day he was on the phone. His parents never offered to help; they were away on business ventures. Blue said he couldn't stay with his brother because the brother had samurai swords hanging on the wall and Blue reckoned he would hurt himself with them!! Right.*

The couple attended Relationships Australia for counselling at Sue Ellen's insistence, but Blue refused to return, claiming the counselor was biased when Blue was told not to ring Sue Ellen so frequently, to give her space. When Blue stormed out of the room the counselor asked Sue Ellen if Blue was always like this...

*Eventually I agreed to him coming home on the condition we were in separate rooms and he did not expect sex. I was absolutely clear that this was not a reunion, this was an opportunity for him to be with the kids and to rebuild some trust. Within a few days, surprise, surprise he was at me. Sex would fix everything he said. And that was it. I asked him to leave.*

By this time, Sue Ellen had reached the end of her physical and emotional resources. She continued only a few more sessions with Relationships Australia. Urged by her doctor to re-prioritise her health, Sue Ellen chose for the first time in her adult life to apply for benefits. She went to Centrelink and still expresses gratitude for the opportunity to remain at home with the children, focusing on their needs and slowly regaining control of her life. Sue Ellen made an effort to reconnect with the friends and begin to rebuild her life.

During this time Blue was continuing to come and go from the family home as he pleased. He still had keys to the property.

*Well, let's see. You know how they always say the woman rips off the guy, leaving him stranded? Well, he drove a truck into the back yard and packed everything into it. He left us, me and his four beautiful children with a fridge that didn't seal, no lounge suite, no dining suite, nothing. I didn't care, really I didn't. I wouldn't let him take the children's beds though. And we made do, as we always will.*

How are you going with the information you have read so far?

If you are finding this challenging, distressing or bringing up strong feelings, it may be time to return to your anchor.



*And Blue never gave up. He rang and cried and rang and pleaded. He would tell me he was going to drive into a telephone pole. Next time it would be emotional blackmail about the kids. Three times a day he was on the phone.*

*They were so young and he would come in here and tell them 'look what mummy's done, mummy won't let daddy live here anymore, she doesn't want us to be a family'. He made me feel guilty at any opportunity, especially when the children were present.*

*The children would just cry and I was devastated that anyone would put their children through that. I took so much care never to run their dad down in front of the children, never to drag them into it.*

*What was worse was the things he would say to the children. They were so young and he would come in here and tell them 'look what mummy's done, mummy won't let daddy live here anymore, she doesn't want us to be a family'. He made me feel guilty at any opportunity, especially when the children were present. The children would just cry and I was devastated that anyone would put their children through that. I took so much care never to run their dad down in front of the children, never to drag them into it.*

*I gave him so many opportunities to have it differently. He could have stayed in the same house and continued to be a live in daddy if he didn't continue to force sex. What kind of person puts their children through that?*

In the meantime the harassing phone calls began to escalate.

*It got to the stage where he was ringing 8 times a day. He would be saying really off stuff, really sick like 'I'm gonna kill you, I'll put you in a grave with your army boyfriends'.*

*Let me just say, this was at a time when there was certainly not someone in my life. But he was obsessed by the thought of someone else handling his possession. If my friends were here they would say 'just hang up'. But in the news at the time a woman had been killed for just hanging up on her boyfriend. That haunted me. I remember thinking if it happened to her it could happen to me. And he just kept playing on my fear.*

Despite all this, Sue Ellen was committed to the children having regular contact with their father. By this stage he was staying with his parents and Sue Ellen felt the children would be safe and cared for with his mother to supervise them.

*Every weekend when the children had gone to their father's I would lock myself in the house, every lock and a sliding lock I had put on the door myself. The sliding lock with a chain was on my bedroom. I was still terrified. Sleep? Oh god, sleep was so hard for months. There were nightmares, I heard every creak, all night long. I was waiting for him to return. I don't think anyone understands how devastating and how long the fear lingers. Lingers.*

*Every now and then I still have nightmares about the things he did. And we were married! It was never supposed to be like that.*

Contact with the children provided opportunity for a range of harassments. One weekend Blue refused to return the children unless he received the wedding rings, photos, cameras and jewelry. Although Sue Ellen returned the possessions without hesitation, two children were kept for a further night. Faxes, phone calls and mobile messages continued relentlessly. Many were begging Sue Ellen to think of the children and 'drop the DV charges'. After weeks of pressure Sue Ellen gave in to the pressure and approached the police with a written request to stop legal proceedings. By that stage however, given the severity of Blue's offending, the police prosecution had no intention of withdrawing the charges.

In March 2003, with the help of an excellent criminal Barrister, Blue pleaded out and received a six month good behaviour bond with four standard conditions. One month later another incident occurred.

*I was in the kitchen, cooking dinner for a male friend. My kids were in the lounge adjoining the kitchen, watching the Simpsons. I was literally just standing there cooking. Blue comes up the back stairs, takes one look at another man in 'his' house and lets it fly.*

When Blue began yelling and swearing at her friend, Sue Ellen grabbed the phone, left the room and attempted to call the police. Blue ripped the phone out of the wall, stormed outside, asking the friend if his car was insured. Blue drove away. Later, Blue's mother appeared at the house with Blue, accusing Sue Ellen of being unfaithful. The mother said that her son had discovered Sue Ellen and her friend in bed in front of the children.

*By this time his mother is screaming at me, we're all in the street, the children are crying. He grabbed my middle son, his mother took the rest of the children. I'm saying 'leave the children don't make them a part of this' while my friend, he's just looking at me, like oh my god. I was so ashamed, so embarrassed. I lost a lot of friends through Blue's behaviour. I lost this friend too. We say hello when we meet but, it was so embarrassing and so awkward. My poor babies.*

*I don't think anyone understands how devastating and how long the fear lingers. Lingers. Every now and then I still have nightmares about the things he did.*

*What I don't understand was why they didn't extend the good behaviour bond, with no contact and no harassment for two years? It was due to run out in September and it was as if the Courts just didn't care.*



At one point Blue returned again, carrying a weapon like a baseball bat he kept in the back of his car. By this time Sue Ellen had managed to use the neighbour's phone to ring police.

*Watching him swing that bat I had visions of me on life support. I told him 'Put that stupid thing away, think of the children. The police are coming, come on don't be stupid'.*

*The worst thing was, we went back to court and all he got was two extra conditions about not contacting me in any way. Nothing happened. What I don't understand was why they didn't extend the good behaviour bond, with no contact and no harassment for two years? It was due to run out in September and it was as if the Courts just didn't care. The police were so supportive and they were as angry as I was. But at the end of the day he had a really good lawyer and everyone seemed to assume 'what do you expect? You had a man in his kitchen'? It's so unfair. For a start there was nothing going on, nothing with this man. And even if there was, so what? We had separated. Separated. The marriage was over and that was due to his behaviour. Nothing justifies the property damage, the screaming, swearing, threatening in front of innocent children. And he got away with it.*

The DV violence order did not stop the harassing phone calls to Sue Ellen. By this time her mother was receiving death threats. But Sue Ellen gave up contacting the police.

*I thought what's the point? What are they going to do? He's got off everything so far. I just hoped he would finally move on, get a life. Because I was determined to.*

In the period after the domestic violence Court case, Sue Ellen met her husband to be, Green. Their relationship was carefully navigated with the children in mind. Sue Ellen was transparent with Blue and Blue's family about Green's presence in her life.

*Then the harassment took another tack. He was still having regular contact with the children and we continued to be committed to not putting Blue down in front of the children. They all loved Green, and would ask him why he never says bad things about their daddy, when their daddy says bad things about him. Blue made complaints to the Department of Families about us neglecting the children, having a lock on our fridge.*

*Remember the fridge he left behind because it wouldn't seal? Well Green fixed it up, with a lock to hold it together. That's why there was a lock on the fridge! Family services were understanding and told me they were obliged to investigate but that vindictive parents do some awful things. But before the fridge allegations, they actually reported Green was molesting my daughter.*

The allegations of molestation related to a situation that occurred while another friend was present. The youngest child was potty training and asking for someone to wipe her bottom. As Sue Ellen was eating her dinner, Green offered to help the child. The child herself never suggested that anything inappropriate occurred. Blue was made aware of the incident when an older brother told him that the little one was 'lazy and didn't want to wipe her own bum'. Again, a full investigation with the Juvenile Aid Bureau of the Police and Department of Child Safety occurred, and assessed the child as *not at risk*. The act of reporting child sexual assault though had a sobering effect on Sue Ellen and Green.

*I remember the Social Worker from the Department of Child Safety saying to me 'this is awful. What he is doing is so bad. Isn't there someone who can help you?' And I just looked at her and thought, 'Lady, you're the social worker! What do you reckon? If you can't help me then what is ever gonna happen?'*

### **The saga of the Family Court**

The Family Court became involved during one of the many contact visits where Blue refused to return the children. At this point it was the domestic violence police suggesting that the Family Court may be the best option for protecting the children.

*As it was, anytime anything happened the police would say, 'look this is out of our jurisdiction. This is a Family Court matter'. And so that journey began, so to speak. From the start it was always going to be unequal. Blue had his parent's financial support behind him and they were prepared to back him to the hilt. I had been on a supporting parent's benefit. As the house was still in joint names, I wasn't eligible for Legal Aid. I was going to have to fund the legal advice myself.*

*I remember the Social Worker from the Department of Child Safety saying to me 'this is awful. What he is doing is so bad. Isn't there someone who can help you?' And I just looked at her and thought, 'Lady, you're the social worker! What do you reckon? If you can't help me then what is ever gonna happen?'*

Sue Ellen had originally intended that their unofficial agreement of Blue having contact on weekends and holidays would continue. Blue however on the advice of his lawyers, began to request shared residency.

*Maybe if Blue had been a different kind of parent I wouldn't have been so concerned. Remember, this is the man ringing me up to 8 times a day, threatening my life, smashing property in front of the children, calling me a whore, abusing my mother. And, even putting aside his potential for violence, he just doesn't know how to care for the children. He never has. When he was living with his mum at least I know if they got sick or something happened she would know how to help. I know the Courts say this is his opportunity to learn, but when I hear that I shake. These are young children. He gets to practice on young children? Where's the justice, the safety for them? I can deal with the weekends, holiday breaks when I know for the majority of time they have a safe, stable routine and a place when I can mop up the fallout from their visits. And maybe after a few years of this he will know, will be more stable, less scary. Maybe then it will be safe for the children to be with him more frequently.*

The Court processes weren't easy. The effect of the harassment and abuse on Sue Ellen was acknowledged by Green's employers. After an incident where an unknown person rang Green's superior pretending to be a police officer and claiming Green had been violent towards Blue, the employing body funded additional counseling support.

*These are young children. He gets to practice on young children? Where's the justice, the safety for them?*

*I was still in shock, still reeling from his behaviour. It helped, having Green's psychologist explain that it wasn't our fault. We had a right to feel safe. He was someone who is unbiased, just bearing the facts and he named Blue's behaviour as domestic violence. I think that really helped me, stopped me feeling so guilty and so ashamed.*

*So there I was trying To work out what to do. I had no idea. No-one in my family had been in this situation. I was ringing the solicitors every time he breached the order or didn't meet the contact agreement. But I didn't realize that every time I rang the clock was ticking and I would be charged for that. Looking back I can see what a difference it would have made just to have someone I could ring, to talk with, to get advice from about what a solicitor can respond to and what they can't.*



*In court, everything is foreign to you. The words. The way the lawyers speak. They're all friends, because we see them laughing together before Court, after Court and I'm thinking, don't be nice to them. I want you to be on my side. I know it doesn't work like that but that's what its like.*

Sue Ellen started Court processes in March 2003. It took until June 2004 for an agreement to be reached. Two months later Blue returned to Court with additional demands. The request was thrown out but not before \$4,500 in legal fees for a barrister had accumulated. Costs were awarded to Sue Ellen, but to this date she has received less than \$500 of that amount. A second application was filed in January and amended in February of 2005. This time, Blue chose to move the case to the Federal Magistrate's Court. A new mediator was assigned to the family and the process began again from scratch.

*I actually, by this stage, wanted to go to mediation. I wanted them to see just what he was like. Let's face it, by this stage he had been through 2 lawyers. What I didn't know then was that nothing occurring in mediation is admissible in Court. So even though he was absolutely horrible, it didn't matter. He had me in tears several times in front of the mediator.*

*This was where I really needed someone. I was so alone. I couldn't cry with my lawyer. I just needed someone to sit with me, listen to me. Well of course it would be even better to have a magic legal genius who could cut through everything but in the real world I would settle for just a supportive person who wasn't family. My poor parents. They had been through enough. And you get to the stage where you just don't want to be discussing these things with friends, it doesn't seem right.*

Sue Ellen is still returning to the Family Court. Blue continues to file for changes to the Parenting Agreement and has the financial support from his parents to do so. Her financial resources exhausted, Sue Ellen will be representing herself.

*In some ways I feel better about this. After all, at least I really care about the children, it really matters to me. When all is said and done, it's a job for the lawyers, isn't it? And that's o.k.*

*Looking back I can see what a difference it would have made just to have someone I could ring, to talk with, to get advice from about what a solicitor can respond to and what they can't.*



*He's found a whole other way to get me, to keep me awake at night, an opportunity to distress me. Before it would be at home. And when a court order told him he shouldn't do that any more, he upped the ante.*

*This way, he has permission, doesn't he, to drag my name through the mud.*



*But I guess Blue has made it clear that he is never going to just let it go. He's found a whole other way to get me, to keep me awake at night, an opportunity to distress me. Before it would be at home. And when a court order told him he shouldn't do that any more he upped the ante. This way, he has permission, doesn't he, to drag my name through the mud. Accuse my husband of something so dreadful, of making me have to be somewhere I don't want to be. Do you think the Courts even get that they are being used all over again by men like him?*

*My husband and I have come to the realization that unless the courts change and really look at 'what's best for the children' we have a long road ahead of us.*

Sue Ellen has offered empathy and information to other women attending an ongoing support group, based in Townsville, for women accessing the Family Court where there has been violence in the family. In the months since contributing her time to the needs analysis for a program of support in the Family Court the situation has deteriorated further.

As a self-represented Respondent in the Federal Magistrates Court, Sue Ellen has struggled to find answers to her questions about the meaning and requirements of Court documents, Court hearings and interim decisions. Despite this Sue Ellen has remained committed to placing the needs of her children first and has continued counselling and other self awareness strategies in order to manage the effects of trauma arising from the abuse from Blue.

### Authors Note:

I have been so privileged to be a part of the project *Seeking Safety, Needing Support*, from which *Dragonfly Whispers* evolved. The courage and resilience of each of the 40 women interviewed for the project touched me deeply.

Thank you to the women for your lessons (raw and weeping) to me about the frailty of our legal justice system in the face of men's use of violence against women.

The ten stories you've read in this book were by no means the most controversial or horrific (*can any story of abuse not be seen as horrific?*). Each woman has lived with fear, sadness, distress and the physical effects of abuse. For some, the stories required substantial editing to ensure the material contained is not easily identifiable in a small community.

Remember, these women live in fear of their lives. Their partners have threatened them with words and deed (from the torture and murder of small animals to tatoos of their name with the letter RIP underneath...). For the women contributing to *Dragonfly Whispers*, even more distressing was the risk of retribution against their children.

And so, mindful of this, we have sought instead to share parts of journeys rather than the whole voyage. Each of the women has one small request of the reader: to be remembered, each time you skim over yet another media article of a woman or her children murdered by the husband or father, each time you hear a yarn around the BBQ of the myths that '*women get it better in the Family Court*'. Because even if such a time existed, it certainly is not so now. And domestic violence, despite the best efforts of Family Court personnel, is edited out, silenced, ignored.

We ask you to challenge the power of these beliefs. Write to politicians. Speak up about the reality of women. Because they are silenced by the threat of retribution. Through words and action, you can be a part of a journey to a world free of violence.

Beth Tinning



After much discussion, it was agreed by the women involved in the workshops of the Dragonfly Whispers that the Referral Details would be kept as simple as possible.

This was for two main reasons.

The first was the shared dislike among the circle of women for daunting lists of many phone numbers that we are encouraged to trawl through in the hope of reaching someone, anyone, who can provide assistance.

The second reason was a little more mundane; we hoped that by keeping the list relatively short it would be less likely that phone details required regular updaters.

The women involved in Dragonfly Whispers acknowledge the limitations of phone numbers; we respect Lainey's viewpoint that telephone contact is often off putting for Indigenous women and women from non-English speaking backgrounds.

As women based in a regional centre, we had heated debate about the usefulness of including numbers for rural and regional services. However this would involve three times as many pages.

As a compromise, our intrepid 'number checkers' ensured that the first service listed for each State was able to provide local referrals through the 1800 number for the cost of a local phone call.

We welcome your feedback about the services we chose to list and any you believe to have been overlooked.

*The Dragonfly Whisperers.*

## Referral Details

### Australia Wide Services

**In an emergency and if your fear the safety of you and your children phone 000 and ask for the police.**

Fabulous website with information and links for women separating: [www.wsas.here.ws](http://www.wsas.here.ws)

Kids Helpline

1800 55 1800

Telephone Interpreter Services

131 450 (24 hours)

### Queensland

Crisis Support for victims of Domestic Violence

1800 811 81

*Includes referral to Queensland shelters, crisis support and referral information*

Immigrant Women's Support Service

07 3846 3490

*Support for immigrant or refugee women victims of domestic violence*

Women's Legal Service

07 3392 0670

Toll Free 1800 677 278

Nth Qld Women's Legal Service (Townsville)

07 4772 5400

Nth Qld Women's Legal Service (Cairns)

07 4041 0066

ATSI Women's Legal and Advocacy Service

07 3844 2450

Legal Aid QLD

1300 651 188

*This number can give you more information about additional services provided by Legal Aid including:*

- o Domestic Violence Unit
- o Women's Legal Aid
- o Biligual Information Service

Statewide Sexual Assault HelpLine

1800 010 120

TTY: 1899 812 225

## Northern Territory

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### Crisis Support for victims of domestic violence

Darwin Crisis Line	1800 019 116
Alice Springs Domestic Violence Service	08 8952 1391

### Crisis Accommodation

Darwin: Dawn House	08 89451388
Alice Springs Women's Shelter	08 8952 6075

### Darwin Aboriginal Women's Resource Centre

Migrant Resource Centre (Alice Springs)	08 8945 2284
	08 8951 5880

### Women's Legal Service

Domestic Violence Legal Service	08 8999 3000
Top End Women's Legal Service	08 8941 9989
Katherine Women's Information & Legal Service	08 8972 1712
Central Women's Legal Service	08 8952 4055
Domestic Violence Legal Help - Alice Springs	08 8952 1391

### Northern Territory Legal Aid Commission

	1800 019 343
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### Legal Information & Inquiries

Alice Springs	08 8951 5377
Katherine	08 8973 8704
Darwin	08 8999 3000

### Sexual Assault Referral Centre (SARC)

	08 8922 7156
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## Western Australia

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Crisis Support for victims of Domestic Violence	
Crisis Care Unit	1800 199 008
	08 9325 1232
Crisis information, advice, referral & support.	
Domestic Violence Advocacy Service Central	08 9226 2370
<i>One stop shop service with police, legal aid, support workers, women &amp; children counselling available.</i>	
Domestic Violence Advocacy and Referral Service	08 9300 1022
<i>Crisis Counselling service for women in the northern suburbs of Perth.</i>	
Domestic Violence Legal Unit	08 9261 6254
<i>Legal Aid domestic violence unit.</i>	
Women's Law Centre (W.A.)	08 9272 8800
Joondalup Family & Domestic Violence Court	08 9400 0707
<i>Specialized Court Support system for victims of domestic violence in criminal matters and for Violence Restraining Orders.</i>	
Legal Aid W.A. Infoline	1300 650 579
<b>Family Law Hotline</b>	1800 050 321
<i>Helpline and referral service for Family Law issues</i>	
Sexual Assault Resource Centre (SARC)	08 9340 1828

## South Australia

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Crisis Support for victims of Domestic Violence Domestic Violence Crisis Service <i>Crisis counselling, support, referral to safe accommodation</i>	1300 782 200
Crisis Care <i>After hours crisis support, information, counselling and referral to safe accommodation</i>	131 611
Domestic Violence Helpline <i>Telephone counselling for victims of domestic violence, their friends and family and those troubled by their own behaviour.</i>	1800 800 098
Migrant Women's Support and Accommodation Service <i>Support &amp; emergency accommodation for migrant women &amp; children who are victims of domestic violence.</i>	08 8346 9417
Nunga Mirminar Shelter <i>Support and emergency accommodation for Aboriginal women and children who are victims of domestic violence.</i>	1300 782 200
Women's Legal Service	1800 816 349
Aboriginal Legal Rights Movement	08 8211 8824
Legal Aid SA Telephone Advice Service	1300 366 424
Yarrow Place Rape & Sexual Assault Service	1800 817 421 08 8226 8787

## Tasmania

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### Crisis Support for victims of Domestic Violence

Domestic Violence Crisis Service	1800 633 937
Huon Domestic Violence Service	03 6264 2222
Women's Legal Services	1800 682 468
Legal Aid Telephone Advice	1300 366
Migrant Resource Centre	03 6234 9411
Aboriginal Health Centre	03 6231 3527
Sexual Assault Support Service	03 6231 1811

## Australian Capital Territory

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Domestic Violence Crisis Service <i>24 hour telephone information, counselling, support and referral, access to accommodation service for those in crisis and affected by domestic violence.</i>	02 6280 0900
Women's Legal Centre	02 6257 4499
Legal Aid Telephone Advice and Information Line	1300 654 314
Women's Information and Referral Centre	02 6205 1075
Canberra Rape Crisis Line	02 6247 2525



Victoria		
Women's Domestic Violence Crisis Service of Victoria <i>Telephone counselling and referral to safe accommodation</i>		1800 015 188
Immigrant Women's Domestic Violence Service <i>Support and information to immigrant women in their primary language</i>		03 9898 3145
Domestic Violence & Incest Resource Centre		03 9486 9866
	TTY	03 9417 1255
Women's Legal Services Victoria		03 9642 0877
Legal Aid Victoria		1800 677 402
Women's Information (WIRE) <i>information support and referral for women</i>		1300 134 130
Centre Against Sexual Assault		03 9345 6391

## New South Wales

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Domestic Violence Line		1800 65 64 63
	TTY	1800 671 442
<i>24 hour service, counselling, advice &amp; accommodation referral.</i>		
Domestic Violence Advocacy Service - telephone advice line		02 9637 3741
		1800 810 784
	TTY	1800 626 267
Women's Refuge Referral & Resource Centre		02 9518 8379
Immigrant Women's Speakout Association		02 9635 8022
<i>For migrant women &amp; refugees who are victims of violence.</i>		
<i>Counselling &amp; bi-lingual workers.</i>		
Women's Legal Resource Centre		02 9749 5533
		1800 801 501
Indigenous Women's Legal Centre		1800 639 784
Wirringa Baiya Aboriginal Women's Legal Centre		02 95693847
Domestic Violence Advocacy Service		02 9637 3741
	TTY	1800 626 267
Legal Aid Helpline		1800 806 913
Rape Crisis Centre		02 9819 6565

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Additional Copies of

*Dragonfly Whispers*

and

**Seeking Safety, Needing Support:** a report on  
support requirements for women experiencing  
domestic violence and accessing the Family Court

may be ordered from

Sera's Women's Shelter  
PO Box 1665  
Townsville 4810

Or by emailing  
[seras@beyond.net.au](mailto:seras@beyond.net.au)

Special thanks, for inspiration, mentoring, sharing and support  
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this had to be written, may this book make visible your motivation.  
And may peace on earth begin in the home...











