Melissa and Ben were in a relationship for 17 years and had five children together, aged from toddler to early teens at separation. Melissa identifies as Indigenous. She has post-secondary qualifications and has been employed in a professional role for many years, apart from when the children were very young. Ben has always earned a high income from his trade job when not serving jail sentences for various convictions. Their combined income enabled, for the most part, comfortable material living circumstances. Melissa describes Ben as having been both generous and irresponsible with money. Their relationship was characterised by Ben’s regular absences for work; and a number of periods of separation due to Ben’s violence towards Melissa or his imprisonment as a consequence.

Early in the relationship, when they were living together, Ben began calling Melissa offensive and demeaning names, hitting and spitting on her, and forcing her to have unwanted sex; during some of these occasions, he would also be using illicit drugs. After three months, Melissa moved out and lived with family, returning briefly one evening with a (non-intimate) male friend who Ben assaulted. Ben was charged with and convicted of assault, and the police obtained a protection order on Melissa’s behalf. Over many years Melissa had a number of protection orders.

Having spent a considerable period away from Ben, Melissa reinitiated contact as she wanted to have a child. Ben’s violence towards Melissa escalated during her first pregnancy, as did his drug use. He would hit Melissa in the head, try to strangle her, and threaten her with knives. While Melissa knew these were breaches of the protection order, she was too afraid to contact police as Ben would smash the phone and hold his hand over her mouth when she screamed.

Melissa left Ben again after the birth of their first child. When the child was three weeks old, Ben came to Melissa’s residence, took the child out of her arms, and bashed her badly. A witness alerted police and Ben was charged with and convicted of assault. On another occasion, when Melissa and the child were not home, Ben broke into the residence and viciously damaged and wrecked her furniture and appliances, and sliced her mattress. He also kicked in the door of her friend’s house and smashed household items. Ben went to jail for these offences, and Melissa moved elsewhere with the child.

Melissa was a single mother, working part-time and studying, and didn’t see Ben for two years. During his jail term, Ben wrote to Melissa threatening to ‘get her’ on his release. Melissa took the letter to police, and believes that Ben’s jail term was extended as a result, however she is not sure whether it was treated as a breach or parole matter; the police didn’t advise her.

When Ben was out of jail, Melissa contacted him to ask if he wanted to see the child; she also wanted a second child. She says she’d felt lonely and longing for love, and Ben responded positively and warmly. However, soon after they resumed living together, and Melissa became pregnant, Ben’s sexual violence started again. There were times when Melissa ran up the street naked and hid at a neighbour’s house to escape Ben’s force. He also continued the abusive name-calling, and told Melissa he hoped she got cancer and her body was maimed.

After the birth of their second child, the child safety services were briefly interested in the family’s welfare. Melissa believes it was likely the police who alerted them to Ben’s violence. Aware of the risk of the children being removed by child safety, Melissa stopped reporting the violence and abuse, notwithstanding its increasing severity and danger. Ben had once pushed her down the stairs while still pregnant and she’d sustained extensive blood loss from her injuries. On another occasion, he raped her while menstruating; and police arrived after being alerted by a neighbour. Police took a statement from Melissa and questioned her as to why she was still living with Ben. They expressed irritation that they’d been through this multiple times before with her, yet offered her no referral to support services. Melissa was shocked and distressed when she learned that child safety had visited the school and daycare to question her children without first speaking with her.

This pattern of violent and abusive behaviour—and police and child safety responses—continued for years. When Melissa was pregnant with their fifth child, Ben came home in the early hours of one morning, in the aftermath of an intense drug bender, and began sexually assaulting Melissa. She physically attacked him, terrified of how he would react, fled the house carrying her own injuries. A family member returned to take care of the children and call the police. Melissa made a statement to police, and advised child safety of the incident. She and the children went to stay temporarily with a family member before returning to the home where Ben had stayed on. Child safety visited on a number of occasions, but never suggested the children would be removed. Melissa felt that they were more interested in hygiene than safety, and because she kept an immaculately clean and tidy house, they didn’t appear concerned. The police did not charge Ben with breach of the protection order.

After the birth of their fifth child, Melissa left hospital early so that Ben could depart for his regular work stint away. On her return home, Ben spat in her face. Melissa says this was the point at which she snapped. She decided she would no longer tolerate Ben’s behaviour, and rang the police. Ben left the house for an extended period, during which Melissa understands he got into trouble with his job and the law.

Ben continued working and contributing to the mortgage and family living expenses. Melissa was on leave from work following the birth of their fifth child. Given their combined incomes, she had never been on welfare benefits; however she became increasingly concerned about the violence and volatility in the family and applied for Centrelink assistance to protect herself and the children. She was also worried about how the children had been affected by their long-term exposure to Ben’s violence and abuse, and sought counselling from a local service, which she found very supportive and helpful.

Ben returned after nearly twelve months. Melissa believed it was an attempt to reconcile, which she briefly and regrettably allowed. She was also aware that Ben was due to go to jail again, and could appreciate that he wanted to see the children. Melissa has Family Court residence orders for the first child, and no orders in relation to the remaining children. They have never lived with Ben other than when he and Melissa were residing together, and Ben never sought contact during his many absences from the family. Melissa is now considering the merits of seeking orders for her other four children.

Melissa believes the periods of separation imposed by Ben’s terms of imprisonment and working away from home probably gave her the time she needed to recover from the acute impacts of Ben’s violence and abuse, and to get on and work and care for the children. However, these circumstances also prolonged the violence and abuse over 17 years. Melissa says it is unlikely that Ben would reform if required to undertake behaviour change courses as part of his sentencing.

Reflecting on her involvement with the court system, Melissa believes that domestic and family violence isn’t treated with the seriousness it deserves, that perpetrators can avoid service or attendance and matters have to be constantly adjourned, and that penalties are often fines or ‘a slap on wrist’. Ben would taunt her that ‘DV was just a piece of paper’, and recklessly breached his protection orders on countless occasions. As to police and child safety, Melissa feels she received very little constructive support, and at times felt that she and the children were treated as a burden and frustration to these systems.