Risk Assessment (High Risk)

Celina and David grew up in the same country of origin, however at the time they met through an online dating website, David had been living in Australia for 7 years, and Celina was still living in her home country with her mother. Celina also has a sister and family living in Australia. Both Celina and David have been married previously, are professionally qualified and aged in their thirties. David has a primary-school age child who lives with his former wife and spends regular weekend and holiday time with David. After Celina and David married overseas, David promptly returned to Australia and Celina applied to Australian Immigration for a joint visa for herself and her mother, with David as their sponsor. When the visa was granted, Celina resigned from her professional employment and travelled to Australia to live with David; Celina’s mother followed a few months later to allow them some time to settle in together.

Celina speaks fondly of her early days living with David. She described him as gentlemanly, respectful, loving and enthusiastic about showing her the sights of the exciting city she had moved to. Celina had experienced stigma in her own culture due to being a divorced woman, and felt that her marriage to David restored her dreams for a good life and a family. She was committed to supporting David in caring for his child, and believes she made a genuine effort to build a relationship. When the child was staying with Celina and David, Celina would take care of the child’s needs, prepare meals and do the housekeeping while David went to work. This was not a lifestyle Celina was accustomed to having been employed and independent for many years. Celina was unable to get employment while on a temporary visa and was therefore entirely financially dependent on David.

One evening, around a month after Celina arrived in Australia, David’s behaviour towards her changed abruptly. It was the child’s birthday and they had planned to collect the child from the mother’s house and go out for dinner. Celina had prepared and wrapped presents. David refused to allow Celina to travel in the car on the basis that it would upset the child’s mother. Instead, she was dropped somewhere close to a big junction on the way and was pushed out of the car by force. In the middle of an unfamiliar area, she walked down the street and stopped at a supermarket and decided to wait there as it was getting dark and she didn’t know where else to go being still new to Australia. She was left for several hours until David eventually collected her. Celina found herself highly distressed, at night in unfamiliar surrounds, and confused and hurt by David’s inconsiderate treatment. Not knowing what to do, she rang his parents and her own mother (all living overseas) seeking their advice and comfort. She pleaded with David’s father to contact David and ask him to collect her. David’s mother told her that David had a bad temper but he couldn’t afford to have another marriage fail. Celina’s mother advised that she must try hard to make the marriage work. When David collected Celina later that evening, he shouted abuse at her, claiming that she was trouble and had ruined the child’s birthday, and that he didn’t want a woman who wouldn’t obey him. Once home, David left Celina in the car crying for half an hour then returned and grabbed and shook her violently. Considerably smaller than David, Celina felt scared and weak and asked him to stop; he then dragged her out of the car and pushed her away. Celina fell and hit her head on the concrete driveway resulting in a painful bump to her head and wounded right foot. David dragged her into the house where she laid crying and shaking on the floor while he had a meal. Seemingly to revive her, David began slapping Celina repeatedly on both cheeks, and then tossed a bucket of water over her face. Some hours later, Celina managed to get to her feet and make her way to their bed; however, David had gone to sleep in the child’s bedroom, which Celina was shocked by so early in their time living together. In the days following, David apologised to Celina, but remained angry about her contacting the parents and sharing details of their marriage, which he believed should remain private.

Over time, David demanded that Celina take on more and more of the household duties and child caring responsibilities. David began scolding and verbally abusing Celina in the presence of the child who mimicked his father’s behaviour towards her. Celina was not allowed a phone of her own; instead, David would give her his personal mobile while he was at work and he would use his office mobile to call her incessantly through the day, principally to tell her what he wanted done and to get details of the meals and snacks she was preparing for the child. When David returned home, he would check the activity and search history on his personal mobile and inspect the food in the fridge and cupboards. So demeaned by this suspicious conduct, Celina decided to document meals and activities through the day by taking digital photographs and loading them on David’s Dropbox so he could inspect and verify them. David only ever gave Celina small amounts of cash to cover public transport costs to and from the child’s school; otherwise, she had no access to any funds. He also accused her of secreting spare coins for her own use. They argued daily about David’s demands and Celina’s resistance to comply. David would often skype his parents and complain to them about Celina being a bad wife, aware that Celina was listening.

Not long after the incident on the child’s birthday, David had an argument with the child’s mother at a changeover occasion and, in full view of the child, tried to strangle her. The child’s mother called the police who subsequently issued a protection order against David. Celina believed that he was also charged with assault and the matter would go to a hearing. At the same time Celina’s relationship with David was deteriorating, David was putting pressure on Celina to provide a character reference (character evidence) for the court. He told her it was her chance to do something for him and to save the marriage. His lawyer told her that a strong reference from her as David’s wife would be highly persuasive to the court. Celina made a number of attempts to write a favourable reference, but felt conflicted and wronged given David’s ongoing abuse. She kept the reference to herself, unsigned, knowing that the hearing date was still some months away.

As planned, Celina’s mother travelled to Australia with David after he had been on a brief visit to their home country. They were to live together in the same house, and Celina’s mother was to share the child’s bedroom. David however insisted that the child sleep between him and Celina while the mother stayed in the other room. Celina tried to talk with David about alternative and more comfortable sleeping arrangements, but he wasn’t amenable. One night, Celina was left with so little room in the bed that she fell out and injured herself. David handed her over to her mother and went back to sleep. Celina and her mother were forced to sleep together in a very small bed. Thereafter, they spent most nights on the couches in the living room. The marital relationship soured and sexual relations ceased, yet Celina continued to make an effort to look after David’s child and keep the household going despite suffering diarrhoea, headaches, muscle and back pain, and feelings of stress and depression.

Another evening (in the presence of Celina and her mother), David skyped his parents, again complaining about Celina. During the conversation, Celina tried to correct David’s claims and explain her experience of his behaviour. David called her (in their first language) a prostitute and accused her of having sex with her mother because they slept together. He then wielded a coffee cup as if to throw it at her when Celina’s mother physically intervened. Later, as he became increasingly intoxicated, he told them both to leave the house before he turned into an animal; he said he would refuse them food and drinks and get rid of them if they caused trouble with his child. He threatened to separate them and send Celina’s mother back to her home country. When David was asleep, Celina and her mother went to a neighbour who called the police. Celina believed the police were sympathetic to her situation and could see that David was volatile and dangerous. While Celina and her mother were at the police station, David arrived and began arguing with the officers in an aggressive manner. The police returned Celina and her mother to David’s home as they were unable to find emergency accommodation for them due to their not being permanent residents; again, David began arguing with the police, whereupon the police told Celina and her mother to pack their belongings and leave David’s home as soon as possible. Soon after the police left, David destroyed the wedding photographs hung on the wall by smashing them in front of Celina. Celina and her mother were left totally helpless. Using the neighbour’s mobile phone, Celina contacted her sister who was living interstate and sought her help. At that time, Celina destroyed the character reference she had written in relation to David’s assault proceedings.

The police initiated a protection order application on Celine’s behalf and, at the first mention date, secured a temporary protection order. Soon after, Celine and her mother relocated interstate to stay with the sister. A second mention date was set, however the police advised Celina that it wasn’t necessary for her to appear in person. When she contacted the police after the mention, she was told that the application had been withdrawn because she had moved interstate.

Celina and her mother began living with the sister, however it was soon apparent that the sister and her family didn’t have the financial resources to support them, and they were forced to leave and find alternative accommodation. Celina sought advice from a local domestic violence support organisation which she says provided them with advice and access to support when she and her mother were desperate and homeless. The service arranged refuge accommodation for them both, provided transport to the refuge and financial assistance to cover their ongoing needs, referred them to psychiatric counselling to cope with the stress and depression they were experiencing, and gave Celina advice and assistance in applying for a protection order on the basis of David’s abusive and threatening behaviour. Celina and her mother also applied for and were granted the Centrelink Special Benefit soon after they moved interstate. Celina obtained a temporary protection order, however service was delayed as David’s current address and whereabouts are not known. When eventually the matter was heard by the magistrate, Celina was unrepresented, whereas David had a solicitor and barrister acting for him. Feeling pressured, Celina accepted a written undertaking from David that he would not contact her, and would be of good behaviour and not commit any act of domestic violence towards her for one year. Celina and her mother sought advice from a community immigration lawyer, and have now been granted permanent residency status. They are now both housed, safe and supported, and Celina is studying. Celina is not sure of the outcome of David’s assault charge; however, she believes he pleaded guilty and was placed on a good behaviour bond.